(9)

PRESERVED

1949-50
(C M)

pp F IX 4

revious References

File No 5749

Serial Nos 8, 9

Later References

C-M 3-50 (1,2)
Con 59 54 (1, 5)

GENERAL AND REVENUE SECRETARIAT

Serial Nos 1 to 7

P-82-E

Part B for Jan 1 50

SUBJECT

Rules regulating the procedure with regard to the election of Divisional Councillors to the Corporation of the City of Bangalore

h 80 30 / (a) 28 / 50

The Compiler, Mysore Gazette
Affairs & notifications

Election Rules under the Madras City of Madras Municipal Corporation Act, 1949

Proceedings

The Commr, City of Madras Municipal Corporation No A1-1354/48 dated 23 12 49 forwards draft Rules for the Election of Councillors and 3 seats specially reserved for Labour of the Corporation of Madras

The draft Rules put up by the Municipal Commr is based on the Rules issued to the Madras Corporation a copy of which is also sent enclosed for reference.

2) The Rules are required to be issued by the Govt under Sec 68 of the Corporation Act

3) The file may be referred to the Law Secretary for perusing the Rules and remarks as to their constitutionality for adoption

yes
28/12/49

Law
27/12/49

JM
28/12

Personal Secy
28/12/49

4) For favour of scrutiny & return in 4 days, as the matter is urgent

Law Secy
GC
29/12/49

29/12/49

31/12/49

5) The administrative Secy will be

4219/ml 4329/ml

Election rules under new City Bangalore Municipal Corporation

requested to examine the 4219 1145 provisions as stated whether they are acceptable. They will also be requested to obtain order regarding the provisions providing for appeals and the authority to hear them. No indication is available to show that all the provisions of the draft rules have been examined.

6) The views of the Administrative Secy on para 4 of the Commissioners letter have not been noted.

Govt 7/6/1950

Mas

Law Secy 7/1/1950

Govt Secy 8/1

Secretary to Govt of Mysore
No. 1144
Date 9/1
General Departments

11/1/50

From
The Commr B'lore Municipal Corporation,
No A 1-1354-/48 Dt 27 12 49

Requests to instruct the Dy Superintendent to supply 250 copies of the Rules and 50 copies of each of other notifications issued in connection with the Corporation.

8) Under Sec 62 (a) of the City of B'lore Municipal Corporation Act, provision is made for the adjudication by the Court of the District Judge, B'lore Division of disputes arising out of elections and for an appeal on a point of law to the High Court from the decision of such Court.

9) In view of this specific provision in the City of Bangalore Corporation Act which is not found in the Madras Act, suitable alterations have been made in the draft

General and Revenue Secretariat

File No 4329/ml of 1949-50

Serial No

Rules in this behalf sent up for appr and instructions are sought as to whe it is the intention of the Govt to prom in the Rules for appeals to the Hgh Court

10) In the Rules framed by the Madras corporation petition for the revision of the decision is to be filed before the chief judge of the Court of Small Cause Madras But the conditions obtaining in the State in these matters are vastly different from what they are in Madras and as such the provision for adjudication by the District Judge and an appeal on a point of law to the High Court seems to be deliberate and intentional

11) The Draft Rules sent for approval now are based on those issued by the Madras Corporation, and the variation in regard to appeals and the polling officer's recording of the Election offences not consistently ~~with~~ with the provision of the law in force in Mysore seem to be necessary and in order.

12) The deposit fee for nomination is proposed to be prescribed at Rs 25/ for Schedule Caste members and Rs 100/ for others, a separate deposit being

Note —Contn Sheet

4219/ml V 4329/ml

Election rules under the Bangalore Municipal Corporation

4219/ml 1145/RL

requested to examine the provisions as stated whether they are acceptable. They will also be requested to obtain order regarding the provisions providing for appeals and the authority to hear them. No indication is available to show that all the provisions of the draft rules have been examined.

6) The views of the Administrative Secty on para 4 of the Commissioners letter have not also not been noted

Reg 7/6/1/50

Mas 7.1.50

Law Secy 7/1/50

Genl Secy 8/1

WR.

SECRETARY TO GOVT OF MYSORE
GENERAL DEPARTMENTS
To L.L.
Date 9/1

11/1/50

From
The Commr Bldg and Corporations,
No A 1-1354/48 Dt 27 12 49

Requests to construct the Govt by providing to supply 250 copies of the rules and 50 copies of each of other notifications issued in connection with the corporations

8) under Sec 62 (2) of the City of Bangalore Municipal Corporation Act, provision is made for the adjudication by the Court of the District Judge, Bangalore Division of disputes arising out of elections and for an appeal on a point of law to the High Court from the decision of such Court

9) In view of this specific provision in the City of Bangalore Corporation Act which is not found in the Madras Act, suitable alterations have been made in the draft

Serial No

Rules in this behalf sent up for approval and instructions are sought as to whether it is the intention of the Govt to provide in the Rules for appeals to the High Court

10) In the Rules framed by the Madras corporation, petition for the review of the decision is to be filed before the chief judge of the Court of Small Causes Madras But the conditions obtaining in the State in these matters are vastly different from what they are in Madras and as such the provision for adjudication by the District Judge and an appeal on a point of law to the High Court seems to be deliberate and intentional

11) The Draft Rules sent for approval now are based on those issued by the Madras Corporation, and the variation in regard to appeals and the polling officer's rendering of the Election appeals Act consistently ~~of the~~ with the provision of the law in force in Mysore seem to be necessary and in order.

12) The deposit fee for nominations is proposed to be prescribed at Rs 25/ for Schedule Caste members and Rs 100/ for others a separate deposit being

4219/ml 4329/ml

Corporation of Madras — Election Rules

1301/L0 File No 4329/ml of 1949-50

General and Revenue Secretariat

Serial No

required as respect of each division for which the candidate wishes to stand in Madras, and Rs 50/- for Labour Seats from non-Schedule Caste members. These are for consideration and orders.

(13) In Rule 16, for display on board the name of each candidate in Kannada may also be carried along with the English and the other language current in the Division. Kannada is now omitted in the draft Rules.

(14) If an appeal to the High Court of election disputes even as a point of law be considered desirable as noted at para 10 supra provision will have to be made for this in the Rules as required by sec 68 (1) (a) of the Corporation Act. These Rules have to be issued by the Govt.

(15) A few verbal corrections have been made in the draft and the Rules seem to satisfy the administrative requirements. The file may now be sent to the Legislation Branch for further scrutiny and remarks.

Raja 16/1/50

Government 17/1/50

JS Sec 18/1/50

yes 17/1/50

(16) For favour of sending back the rules in 3 days, as we have to issue early.

Yours sincerely

Sec 18/1/50

19/1/50

SECRETARY TO GOVT 12269 1951

SECRETARY TO GOVT 5366 18 JAN 1950

W.D 06820—GPB—25 000—26 7 49

Serial No

17) The draft rules are in order. The Act definitely provides for making rules for appeals to an High Court on a point of law. Therefore, the administrative Dept will be requested to provide for the same in the draft rules now under consideration.

18) References to the Mysore Election Offences and Enquiries Act, 1949 cannot be included in the draft rules, as the Act applies only to elections to the Chambers of the Legislature. Therefore such References have to be omitted. The administrative Dept will be informed accordingly.

Reg 20/1/50

19) Since infringement of the secrecy of election is punishable under section 69 of the Corporation Act, this provision has been referred to in rules 19 and 33 of the draft.

20) A suitable amendment has also been made in rule 6 providing for appeals to the High Court on points of law.

21) ~~Some~~ The draft in other respects closely follows the Madras Rules, and appear to be legally in order.

Mas 23/1/50

Law Secy 24 HWS 23/1

25) Genl Secy WC 23/1 HWS 23/1

Examined. Rules appear to be alright. 24/1/50

Pl examine the rules ~~putting and~~ 24/1

5336
23 JAN 1950
GOVT. OF MYSC

No 126 80
Date 23/1

NOTE—Contn Sheet

4329/L Corporation of Bolar Election Rules
File No of 19

General and Revenue Secretariat

Serial No

24) The opinion of the Law Dept may be accepted

25) The rules with the additions proposed may be issued

May issue Lenseen for Minor city Municipalities) 24/1/50

24/1/50

24/1/50

THE REGISTER FOR CITY MUNICIPALITIES AND TOWNS
No 3327
Date 24/1/50

Issue Diff notification attested

25/1/50

eneral and Revenue Secretariat | File No | of 19

WD 06071—GPB—25 000—20-6- 9

Serial No	

NOTE—Contn Sheet

File No

of 19

General and Revenue Secretariat

Serial No

General and Revenue Secretariat | File No | of 19

Serial No

" The Year " means the Financial Year according to Section 3 (41) of the City of Bangalore Municipal Corporation Act According to Section 53 (1) of the said Act every person of either sex who has attained the age of 21 years in the year preceding that in which the electoral roll is published, shall be included in the electoral roll Since the Electoral roll has been published in the year 1949-50, those who have attained the age of 21 years on 30th June 1949 are entitled to be included in the Electoral Roll It is ascertained from the Commissioner, Municipal Corporation that this has been done.

Minr to I G) 14/2/50
14/2/50

Office of the Minister for Local Self Government.

No
Date 14/2/50

Note —Contn Sheet

File No	General File Serial Serial No

WD 06820—GPI – 25 000—26 7 49

Publication of electoral rolls

These rolls were prepared on the basis of the voters' lists prepared in 1948 for the Corporation general elections. On this basis the lists were made as up-to-date as possible. The lists were prepared by officials specially deputed for this work and the work was supervised by the Tax Inspectors and the Revenue Officers. The lists were also extensively checked by senior officers of the Corporation before they were finalised and given to print. This printing work was also got through very quickly and the list as revised was published for general information on the 13th January 1950. Objections were called for and received up till the 6th February 1950. 3,500 applications were received. This includes 800 applications for correction of names and the balance for inclusion. These have been scrutinised. The corrections necessary have been ordered to be made and 1,200 applications have been rejected and the balance accepted. The corrected list is now under preparation and will be published on the 20th instant.

As the Commissioner has under the election rules powers to rectify clerical or printing errors, instructions have also been issued by me to examine every electoral roll with the manuscript electoral roll prepared and the corrections due to printing errors will also be made and published by me on the 20th instant.

In classifying the applications received it is seen that the omissions have been great mostly in the areas where unauthorised buildings have come up. Some of these houses appear to have been omitted in the first list due to a mistake as these houses being on revenue land and do not come under Municipal

administration, but as all adults living in the City are entitled to vote these omissions have now been rectified and ~~that~~ all such names included. It may be added that ~~when~~ with the intensive work on the part ~~of~~ the Candidates and the Congress party and other organisations out of a total of nearly 2½ lakhs of voters included in the voters list, applications for corrections are now received ~~of~~ by only 800 and there are only about 3,600 names to be included. ~~Of these corrections are less rare and now ordered to be made.~~ It may therefore be seen that the objections raised regarding the corrections of the voters list is not of much substance.

I cannot vouchsafe that the voters list 100% correct. When dealing with such a large electorate there are ~~about~~ bound to be mistakes and omissions, but as ~~such~~ much care as possible has been taken in preparing the electoral rolls and I myself with my senior officers have checked a fair percentage of

No. M1/B5u/48
Enc 1 Spare copy

Office of the Commissioner,
Corporation of Bangalore,
Mayo Hall, Bangalore - I,
Dated the 23rd December 1949.

From

The Commissioner,
Corporation of Bangalore,
BANGALORE

GENERAL & PUBLIC SECRETARIAT
4219
27 DEC 1949
MUNICIPAL BRANCH

To

The Secretary to the
Government of His Highness the Maharaja of Mysore,
General Department, BANGALORE

Sir,

Election Rules under the City of
Bangalore Municipal
Corporation Act, 1949.

I write to invite a kind reference to section 68 of the City of Bangalore Municipal Corporation Act, 1949, under which the Government have to make rules regulating the procedure with regard to elections. I am accordingly forwarding a draft notification in this regard for the consideration of the Government.

2. The draft rules closely follow the rules issued by the Government of Madras in respect of the Madras Corporation A copy of the Madras rules with the amendments proposed marked in pencil, is enclosed. The draft covers the election of the 62 divisional councillors, as well as of the 4 councillors representing Labour interests. It may be mentioned in this connection that under section 5 (1)(a) of the Corporation Act, the term "divisional councillors" includes the councillors filling the fifty general seats, 6 seats reserved for Depressed classes and 6 for women. The rules proposed will cover the case of the election of all the seats mentioned above, as in Madras

3. In the draft rules, the reference to the Mysore Act corresponding to the Indian Election offences Act, 1920, may kindly be filled in

4. One important point however arises with reference to the rules providing for adjudication of disputes arising out of the election. Under the rules issued by the Madras Government in this regard, the decision of the Court of Small Causes is

P T.O.

[redacted]l. This is [redacted] conformity with section 59(2)(b) of the Madras Act which does not contemplate any appeal to the High Court. I find however that there is an important variation in the corresponding section in the City of Bangalore Municipal Corporation Act (section 68(2)(a)) in that under that section the Government may provide for appeals to the High Court on points of law. Presumably there must be some special reason for this variation in the local Act. I therefore request the Government for favour of instructions as to whether it is the intention of the Government to provide in the rules for appeals to the High Court. On receipt of a reply on this point the draft rules will be submitted to the Government.

Yours faithfully,

COMMISSIONER

MVL.
22-12-49.

22/12

CORPORATION OF THE CITY OF BANGALORE

No A 1-1354/48

CORPORATION OFFICES
Mayo Hall, BANGALORE 1,
Dated 27th December 1949

FROM

GEORGE MATTHAN Esq B Sc,
COMMISSIONER, BANGALORE CORPORATION,
BANGALORE.

REVENUE SECRETARIAT 4329 3 JAN 1950 MUNICIPAL BRANCH

TO

The Secretary to the
Government of His Highness the Maharaja of Mysor
General Department, BANGALORE

Cm. 5749 - 80

SIR

Corporation of Bangalore -
Election Rules

I write to invite a kind reference to my letter No A 1-1354/48 dated the 23rd December 1949, forwarding a draft notification containing election rules As copies of the rules will have to be supplied to the polling officers and other officers detailed to assist them in the 50 territorial divisions, I request you kindly to instruct the Director of Printing, to supply me with 250 copies of the rules

2. Fifty copies each of other notifications also, issued in connection with the formation of the Corporation may be supplied to me as they are necessary for distribution to the officers of the various departments.

Yours faithfully,

Commissioner

MVL.
26-12-49

No L 8030/ CM 5749—9
Dated 28 1 1950

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

NOTIFICATION

No Date

Rules for election of divisional councillors of the Corporation of Bangalore and of councillors to fill seats specially reserved for labour

In exercise of the powers conferred by sub-section(1) of Section 68 of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949), the Government of His Highness the Maharaja ~~of Mysore~~ are pleased to make the following rules regulating the procedure with regard to the election of the Divisional Councillors of the Corporation of Bangalore and of the Councillors to fill the seats specially reserved for labour.

RULES.

Election of Divisional Councillors

1(1) Not less than one month before the date fixed for an election, the Commissioner, Corporation of Bangalore, shall forward for the approval of the Government a notice thereof stating-

(a) the number of persons to be elected,
(b) the divisions for which they are to be elected,
(c) the number of seats in each division for which elections are to be held, and if any seat is reserved, for whom it is reserved,
(d) the dates on which, the places at which and hours between which, nomination papers should be presented, an interval of at least twenty days being allowed between the date fixed for election and the earliest date for presentation of nomination papers,
(e) the person by whom the nomination-papers will be received
(f) the dates on which the nomination papers will be taken up for scrutiny,
(g) the day on which, and the place or places where, the votes of the electors will be taken should there be a poll, and the hours during which the poll will be open, not being less than ten hours between 7 a.m and 6 p m. and
(h) the day on which, and the place and hour at which, the Commissioner will commence the counting of the votes

(2) The Commissioner shall cause the notice as approved by the Government to be published in the ~~official~~ Mysore Gazette and in two or more of the local daily newspapers, and copies thereof shall be affixed in not less than three conspicuous places in each divisi for which the election is to be held

Nomination of Candidates

2 (1) The nomination of every candidate shall be made by means of a nomination paper in form I, which shall, on application, be supplied free of cost by the Commissioner to any elector whose name is on the electoral roll for the division.

(2) Every nomination paper shall be signed by two such electors as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for election.

(3) The same elector may sign as many nomination papers as there are vacancies to be filled but no more Each candidate shall be nominated by a separate nomination paper.

(4) Every nomination paper shall be presented by the candidate in person or by his proposer and seconder together on any of the da at the place and during the hours appointed, to the Commissioner or to such other persons as may be authorized by him in this behalf The Commissioner or such other authorized person shall forthwith number the nomination papers serially in the order in which they are presented and enter on each nomination paper the time at which it is presented

(5) Where a person has signed whether as proposer or seconder a larger number of nomination papers than there are vacancies to be filled, those of the papers so signed which have been first received upto the number of vacancies to be filled, shall be deemed to be valid.

(6) The rejection of a nomination paper of any candidate on th ground of any irregularity in respect thereof shall not affect the validity of the nomination of the candidate, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

(7) No nomination paper shall be received after the appointed time on the last of the dates appointed for the presentation of nomination papers.

3 On the presentation of a nomination paper, the Commissioner or other authorized person referred to in rule 2(4) may require the person or persons presenting the same to produce a copy of the electoral roll on which the candidate and his proposer and seconder are registered or of the necessary entries therein and shall sati himself that the name and number of the candidate and his proposer and seconder as entered in the nomination paper are the same as those entered in the electoral roll Where necessary, he shall direct that the former be amended so as to be in accordance with the latter

The Commissioner may interpret an entry in the electoral roll so as to overlook merely clerical or printing errors, but he shall record the interpretation adopted by him together with the reasons

4(1) At or before the time of presentation of his nomination paper or papers, each candidate wishing to stand for election shall deposit or cause to be deposited with the Commissioner in cash or in Government Promissory notes of equal value at the market rate of the day, a sum of twenty-five rupees, if he is a member of the Scheduled Castes or a sum of one hundred rupees, if he is not a member of such castes and no candidate shall be deemed to be duly nominated for any division in respect of which such deposit has not been made. A separate deposit shall be required in respect of each division for which the candidate wishes to stand.

Explanation - The delivery to the Commissioner of a receipt from the Government treasury or bank wherein the Council has an account, evidencing the payment by or on behalf of a candidate to the credit of the Corporation of Bangalore of the amount required to be deposited under this sub-rule shall be deemed to be a deposit of such amount within the meaning of this sub-rule made by or on behalf of such candidate at the time of such delivery.

(2) If no nomination paper is received within the time appointed in that behalf in respect of any person by whom or on whose behalf, the deposit referred to in sub-rule(1) has been made, or if the nomination or any such person is rejected, or if he withdraws his candidature in the manner and within the time specified in rule 8(1) the deposit shall be returned to the person by whom it was made, and if any candidate dies before the commencement of the poll, any such deposit, if made by him, shall be returned to his legal representative or if not made by the candidate, shall be returned to the person by whom it was made.

(3) If a candidate by whom or on whose behalf, the deposit referr d to in sub-rule (1) has been made withdraws his candidature under rule 8 (2) or if he is not elected and the number of votes polled by him does not exceed one-eighth of the total number of votes polled, divided by the number of members to be elected, the deposit shall be forfeited to the Corporation of Bangalore

(4) For the purpose of sub-rule (3), the number of votes polle shall be deemed to be the number of ballot papers, other than spoilt ballot papers, counted

(5) The deposit made in respect of a candidate who is not elected shall, if it is not forfeited under sub-rule (3), be returned to the candidate or to the person who has made the deposit on his behalf as the case may be, as soon as may be, after the publication of the result of the election in the Official Gazette, and the deposit made in respect of a candidate who is elected shall be so returned as soon as may be after the candidate has taken his seat in the council or in pursuance of a direction by the Government for the return of the deposit despite the fact that the seat has not been so taken by the candidate

(6) Notwithstanding anything contained in sub-rules (2) and (5), where deposits have been made by or on behalf of a candidate in respect of two or more divisions, not more than one of the deposits shall be returned and the remainder shall be forfeited to the Corporation of Bangalore

(7) A deposit required to be returned to any person under sub-rule (2) or sub-rule (5), shall, if such person is dead, be returned to his legal representative

(8) Notwithstanding anything contained in this rule, a deposit made under sub-rule (1) shall not be returned, unless a claim therefor is delivered or sent by post to the Commissioner by the person who made the deposit or by his legal representative, as the case may be, within s six months of the date of the declaration by the Commissioner of the results of the election or where such declaration is made on two diffierent dates, within six months of the later of such dates

5 The Commissioner or other authorized person referred to sub-rule (4) of rule 2, shall at least fifteen days before the date fixed for the election, publish in the Municipal office and in three conspicuous places in the division for which an election is to be held and by an advertisement in two or more of the local daily news papers, a list in Form II of all nominations received. with a notice that the nomination papers will be taken up by the Commissioner scrutiny at the Corporation office or other specified place on dates appointed under rule 1

SCRUTINY OF NOMINATION PAPERS

6 (1) The Commissioner shall attend at the Corporation office on the two consecutive working days next after the last day upon which the list of candidates nominated has been published, in order to scrutinize the nomination papers and to hear any objections which may be made to any nomination Such objections may relate not only to the form of nomination but also to violation and non-observance all or any ~~to the form of nomination but also to violation and~~ of the provisions of the Act or rules thereunder relating to such nomination and may include objections concerning the eligibility of the candidates to stand for elections or of the nominators to nominate Any elector of the division may file a written statement raising any such objection The Commissioner may either on such objection or on his own motion, after such summary enquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds

(i) That the candidate is ineligible for election under the law for the time being in force

(ii) that the proposer or seconder is a person whose name is not registered on the electoral roll,

(iii) that there has been any failure on the part of the candidate or his proposer or seconder to comply with the provisions of rule 2 or rule 4,

(iv) that in case, the election is solely for a seat reserved for any community or women, the candidate does not belong to that community or is not a woman, as the case may be

Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or seconder or of any other particulars

particulars relating to the candidate or his proposer or seconder as entered in the electoral roll, if the identity of the candidate, proposer or seconder, as the case may be, is established beyond reasonable doubt

(2) The Commissioner shall endorse on each nomination paper, his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection The scrutiny shall be completed on or before the last of the days notified in this behalf under rule 1 and no adjournment of the proceedings shall be allowed

(3) The decision of the Commissioner on any such objection as aforesaid shall be final for the purposes of the election, unless within one week of the date on which the decision has been given, a petition for the revision of the decision be filed before the District Judge, Bangalore Division, in such a case, subject to the provisions of sub-rule (4) the decision of the said Judge shall be final In case the objection is allowed, the decision of the Commissioner or the said District Judge or of the High Court as the case may be, shall be communicated to all the candidates affected thereby

(4) An appeal shall lie to the High Court from the decision of the District Judge under sub-rule (3), if the said District Judge certifies that the appeal involves

7 (1) In case a revision petition has been filed under rule 6 and the decision of the said District Judge has for any reason not been given more than three days before the date fixed for the election under rule 1, the Commissioner shall stop further proceedings in regard to the holding of the election and shall report the matter to the Government, who shall fix, by notification in the official Gazette, a fresh date for the election in respect of which such nomination was made, and copies of such notification shall be posted in not less than three conspicuous places in the division The procedure prescribed by rules 2 to 6 shall, whatever be the decision of the Commissioner or the District Judge, or the High Court, be repeated for such fresh election, unless the Government shall, by a special order, otherwise direct

(2) The Government may fix a fresh date for the election not only in the contingency referred to in sub-rule (1) but whenever they deem fit to do so and they may exercise this power not only once but as often as may be necessary

8 (1) Any candidate may withdraw his candidature by notice writing signed by him and delivered to the Commissioner at any time after the presentation of his nomination paper or papers and not later than 3 o'clock in the afternoon of the day succeeding the last of the days appointed for the scrutiny of nominations Unless the notice is delivered by the candidate himself to the Commissioner, the candidate signature on the notice shall be attested by a person empowered to attest vakalats

(2) In cases where a poll is found to be necessary, a candidate may also withdraw his candidature by notice in writing signed by the candidate and delivered by him personally to the Commissioner after the latest hour for withdrawal referred to in sub-rule (1) but al least seven clear days before the date appointed for the poll

A withdrawal under this sub-rule may be made not later than 5 o'clock in the afternoon of the last day for such withdrawal

Explanation -
Withdrawal under this sub-rule shall entail forfeiture of the deposit made by or on behalf of the candidate

(3) The Commissioner on receiving a notice of withdrawal under sub-rule (1) or sub rule (2) shall, as soon as may be, cause a notice of the withdrawal to be published on the notice board of the Corporation office, and where the withdrawal, to all other candidates of the division who have not withdrawn their candidatures

(4) A candidate who has withdrawn his candidature under sub-rule (1) or sub rule (2) shall not be allowed to cancel the withdrawal or to be re-nominated as a candidate for the same election

9 The following provisions shall apply in respect of candidates whose nominations have not been rejected and who have not withdrawn their candidature -

Case I - Where the election is held for filling up only a general seat or a reserved seat in a division -

(a) if there is only one candidate, the Commissioner shall

shall declare such candidate to be duly elected to such general or reserved seat,

(b) if there are two or more candidates, the Commissioner shall arrange for a poll to be taken, and

(c) if there is no candidate, the seat shall be filled up in accordance with the provisions of section 62 of the Act

Case II - Where the election is held for filling up both the general and reserved seats in a division -

(a) if there is only one candidate, and -

i if such candidate is eligible for the reserved seat, the Commissioner shall declare him duly elected to the reserved sea

ii such candidate is not so eligible for the reserved seat, the Commissioner shall declare him to be duly elected to the general seat. and

iii the other seat shall be filled up in accordance with the provisions of section 62 of the Act,

B. if there are only two candidates, and

i it both of them are eligible for the reserved seat, the Commissioner shall by drawing lots declare one of them to be duly elected to the reserved seat and the other candidate to the general seat,

ii if only one ~~the~~ of them is eligible for the reserved seat, the Commissioner shall declare such candidate to be duly elected to the reserved seat and the other candidate to the general seat, ai

iii if neither of them is eligible for the reserved seat, the Commissioner shall arrange for a poll to be taken to fill up the ~~genre~~ general seat, and the reserved seat shall be filled up in accordance with the provisions of section 62 of the Act, and

C. If there are more than two candidates, and-

i If two or more of them are eligible for the reserved seat, the Commissioner shall arrange for a poll to be taken to fill up both the seats,

ii. If only one of them is eligible for the reserved seat, the Commissioner shall declare such candidate to be duly elected to the reserved seat, and shall arrange for a poll to be taken to fill up the general seat, and

iii If no such candidate is eligible for the reserved seat, the Commissioner shall arrange for a poll to be taken to fill up the general seat, and the reserved seat shall be filled up in accordance with the provisions of section 62 of the Act.

E X P L A N A T I O N -

'In this rule, "candidate" means a candidate who has been duly nominated and has not withdrawn his candidature in the manner and within the time specified in sub-rule (2) of rule 8.

A candidate shall be deemed to be eligible to a reserved seat if such candidate belongs to the community or is a woman according

as the seat is reserved under section 48 (2) (a) of the A
that community or for women

10 1 If a poll is found to be necessary, the Commissione
assign to each candidate subject to such directions as may be i
by the Government in that behalf, one of the following colours,
namely, red, green, blue and yellow, or where the number of can
exceeds four the colours aforesaid and in addition thereto purp
and such other distinctive colours (except black) as the Commission
may determine

2 Three days before the date fixed for election under rule 1
or rule 7, the Commissioner shall prepare a list in Form III of
persons whose nominations have not been rejected and who have not
withdrawn their candidature and publish it on the notice board of
the Corporation Office and in two conspicuous places in the division
for which the election is to be held and by advertisement in two or
more local daily newspapers

3 The list shall contain the names of the candidates in the
order of the English alphabet, and shall describe them as in their
nomination papers and, if a poll is found to be necessary, shall
also specify the distinctive colours assigned to them under sub-rule

11. If after the scrutiny of nominations has been completed and
before the poll is taken, a candidate whose name appears in the list
of valid nominations published under rule 10 becomes ineligible for
election under clause (f) of sub-section(2) of section 56 of the Act,
the Commissioner shall upon being satisfied as to the existence of
such ineligibility, reject the nomination of the candidate and the
provisions of rule 9 or section 62 of the Act, as the case may be
shall apply

Provided that nothing contained in this rule shall apply,
if the candidate has already been declared duly elected under rule 9.

12. If after the taking of a poll has become necessary and befor
the poll is taken, a candidate who has been duly nominated dies, the
Commissioner upon being satisfied of the fact of the death of the
candidate countermand the poll, and election proceedings shall be
started afresh in all respects as if for a new election

vided that no fresh nomination shall be necessary in the cas

of the candidate or candidates, who stood nominated at the time of the countermanding of the poll

13 1 If a poll has to be taken, the Commissioner shall appoint forthwith one or more polling officers for each polling station and such other persons to assist polling officers, as he thinks necessary and may pay them reasonable remuneration for their services The Commissioner shall provide for each polling officer such number of clerks as may be necessary, and may also if necessary, appoint one or more identifying officers to assist the polling officer in identifying the electors Polling officers shall neither be councillors for the divisions for which the poll is to be taken nor registered electors therein

2. The polling officer shall keep order at the polling station, shall see that the election is fairly conducted and that votes are recorded with absolute secrecy, shall regulate the number of electors to be admitted at one time, and shall exclude all other persons except-

A The candidates, and at each booth one agent of each candidate at a time (hereinafter referred to as the polling agent) appointed in writing by the candidate and approved by the Commissioner or by the person authorized by the Commissioner in this behalf,

B -The police or other public servants on duty, and

C His own clerks and such persons as the polling officer may from time to time admit for the purpose of ~~xiex~~ identifying electors

3- Where a woman elector cannot be identified by the identification officers appointed under sub-rule (1) by reason of her observing "purdah," she may be required to be indentified by any of her near relatives, unless she otherwise satisfies the polling officer of her identity

If any question arises as to whether a person is or is not a near relative within the meaning of this ~~xx~~ sub-rule, it shall be decided by the polling officer and his decision shall be final

14 Each polling station, and at a polling station having more than one polling booth, each such booth shall contain a separate compartment in which electors can record their votes screened from observation except in so far as it may be necessary to ensure that the ballot papers duly placed in boxes As far as possible separate compartments and

and separate entrances and exits shall where action is not under rule 15, be provided for women electors

15 Notwithstanding anything hereinbefore contained the Commissioner may, at his discretion if women in sufficient number suitable and willing to act as polling officers are available, provide a separate polling station for taking the votes of the women electors for any polling area or make such other arrangements as may be necessary to ensure the privacy of such electors In such cases, only women shall be appointed to act as polling Officers in respect of the votes of the women electors concerned Except the police or other public servants on duty, no candidate, agent of a candidate or other person who is not a woman shall be admitted into or be present at such polling station or the place where the votes of such women electors are taken, as the case may be

16 1. The Commissioner shall provide in each polling compartment at each polling station, as many ballot boxes as there are candidates, the box of each candidate bearing the serial number and the distinctive colour or colours assigned to him He shall also provide a sufficient number of envelopes bearing the distinctive colours assigned to the candidates and such other colours as may be necessary to give effect to clause (ii) of sub-rule (2) of rule 29 together with the necessary outer covers, copies of the electoral roll or such part thereof as contains the names of the electors entitled to vote at the station, and such other papers, stationery, and forms as may be necessary He shall further provide a board on which is displayed in bold and clear print the name of each candidate in English and in such other language or languages current in the division, as the Commissioner may think fit, the serial number and the colour or colours assigned to him and the number of vacancies for which the election is held

2 Every ballot box shall be so constructed that ballot papers can be introduced therein but cannot be withdrawn therefrom, without the box being unlocked

17 A notice shall be put up at the entrance to the polling station giving the numbers and names of the candidates as published in Form III There shall be given against the name of each candidate both a description and a sample of the distinguishing colour directed to be used on the ballot box assigned to the candidate

18. Each polling officer shall be supplied by the Commissioner with a list of electors for the division for which such polling officer is appointed The ballot papers and ballot boxes shall be delivered to the polling officer by the Commissioner or other person authorised by him, sufficiently early before the hour fixed for the starting of the poll

19 (1) The polling officer at any polling station, immediately before the commencement of the poll, shall show each of the ballot boxes empty to such persons as may be present at such station, so that they may see that it is empty, and shall then lock it up, and place his seal upon it He shall thereupon place the box so locked and sealed, inside the polling compartment for the receipt of ballot papers, but screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in it

The ballot boxes shall be arranged from left to right in the place set apart for the purpose and in the order in which the names are published in Form III

(2) Before the polling station is opened for the recording of votes, the polling officer shall read to such persons as may be present the provisions of section 69 of the City of Bangalore Municipal Corporation Act, and shall explain the substance thereof in the language or languages current in the division

20 Ballot papers shall be in Form IV and shall have counterfoils attached to them which shall be in Form IV-A They shall be serially numbered both on the foil and on the counterfoil On every ballot paper, such mark as may be directed by the Commissioner shall be stamped across the perforation between the ballot paper and the counterfoil in such a manner that the mark falls partly on the ballot paper and partly on the counterfoil Where the poll is taken for two seats, every one of the serial numbers, shall be printed on two consecutive ballot papers, the first of such ballot papers shall ~~xxxxxxxx~~ bear the number alone and the remaining ballot paper shall bear the number with a capital letter of the English alphabet added after it in order

Illustration - If there are two seats for which a poll is taken, the serial numbering shall be 1 and 1-A, 2 and 2-A, 3 and 3-A, and so on

21 (1) At an election for a division in which not more than one seat has to be filled, an elector shall be given only one ballot paper which shall be placed in the ballot-box bearing the serial number and the colour assigned to the candidate for whom he desires to vote

(2) At an election for a division in which two seats have to be filled, the elector shall be given two ballot papers and the polling officer shall explain to the elector--

(i) the number of candidates for whom he may vote

(ii) that he may place one ballot paper in the ballot box of each of the candidates for whom he wishes to vote,

(iii) that he should not place both the ballot papers in the same ballot box, and

(iv) that where elector wishes to vote for only one candidate

and does not wish to exercise his second vote, he shall return the surplus ballot paper to the polling officer

(3) ~~Immediate~~ The surplus ballot paper referred to in clause (iv) of sub-rule (2), together with the corresponding counterfoil, shall be marked as cancelled

(4) Immediately before any ballot paper or papers are delivered to an elector, the number, name and description of the elector as stated in the electoral roll, shall be called out He shall then detach the ballot paper or papers from the counterfoil and deliver it to the elector and shall place a mark on a copy of the electoral roll against the number of the elector to denote that he has receive the ballot paper or papers but with no indication of the particular ballot paper or papers which he has received

22 The elector on receiving the ballot paper or papers shall forthwith proceed into the polling compartment and there place the ballot paper or papers in the ballot box or boxes, according to his choice Every elector shall vote without undue delay and shall quit the polling station as soon as he has voted He shall not place anything except a ballot paper in any box Anything other than ballot papers found in any box shall be forfeited to the Corporation

23 (1) If the polling officer is satisfied that an elector is incapacitated by blindness from voting in the manner prescribed in Rule 22, the polling officer shall ascertain from the elector for which candidate or candidates he wishes to vote and shall, in the presence of any candidates or polling agents who may be present, place the ballot paper or papers in the box or each of the boxes, bearing the serial number or numbers and the colour or colours, assigned to the candidate or each of the candidates for whom he wishes to vote Where the elector wishes to vote for only one candidate, and does not wish to exercise his second vote, the surplus ballot paper together with its corresponding counterfoils shall be marked as "cancelled "

(2) In the case of every elector whose ballot paper or papers are dealt with in the manner laid down in sub-rule (1), a note shall be made on the counterfoil by the polling officer, of the reason why the paper or papers were so dealt with

24 Special facilities in accordance with the instructions, if any issued by the Commissioner in that behalf may be accorded to women electors

25 When a person presents himself to vote and at any time before a ballot paper is supplied to him, the polling officer may of his own accord and shall, if so required by a candidate or polling agent put to such person either or both of the following questions -

(i) Are you the person enrolled as follows (reading the whole entry from roll)

(ii) Have you already voted at the present election in this polling station or in any other polling station

And the person shall not be supplied with a ballot paper, unless he gives an unqualified answer to the question or questions, put to him and unless his answer to the first question is in the affirmative and the second in the negative Except as mentioned herein, and subject to the provisions of section 54 of the Act, every person whose name is found on the electoral roll shall be entitled to be supplied with a ballot paper

26 If a person representing himself to be a particular elector named on the electoral roll applies for a ballot paper after another person has voted as such elector, the applicant shall, after duly answering such questions as the polling officer may ask, be entitled to receive a ballot paper or ballot papers in the same manner as any other elector

The polling officer shall write the word "Tendered" in bold characters on the face of the ballot paper or each of the ballot papers before, it is handed over to such person On receipt of such ballot paper or papers (hereinafter referred to as tendered ballot papers) the elector shall proceed into the polling compartment and there place the ballot paper or each of the ballot papers in an envelope bearing the colour assigned to the candidate or each of the candidates for whom the applicant wishes to vote He shall then stick the envelope or envelopes and enclose the same in a cover and hand it over to the polling officer The polling officer shall make an endorsement containing the name of the elector and his number on the electoral roll and the number of the division for which the election is held and shall set aside the cover in a separate packet, the ballot papers in which shall not be counted by the Commissioner The name of the elector and his number in the electoral roll and the name or distinctive number of the polling station to which the roll relates shall be entered in a list in Form V which shall bear the heading "Tendered votes list" The person tendering such ballot paper or papers shall sign his name and address on that list or affix his thumb-impression thereto

Explanation - In cases falling under this rule to which rule 27 is also applicable, the provisions of this rule as well as of rule 27 shall be followed

27 (1) If any candidate or polling agent declares and undertakes to prove that any person by applying for a ballot paper has committed the offence of personation, the polling officer shall call upon the candidate or agent bringing forward the charge of personation to deposit with him a sum of five rupees in cash A separate deposit shall be required for proceeding with each charge of personation If such deposit is not made, the polling officer shall ignore the challenge

(2) Immediately the deposit required by sub-rule (1) has been made, the polling officer shall obtain a written statement in Form VI which shall be signed by the candidate or agent, as the case may be, and attested by two credible witnesses, in the presence of the polling officer

(3) The polling officer shall then require the applicant for the ballot paper to enter in the list of challenged votes (which shall in form VII) his name and address or, if he is unable to write, to

to affix, his thumb-impression thereto and may further require such person to produce evidence of identification

(4) If the applicant for the ballot paper on being questioned in the manner provided in rule 25 gives unqualified answers to the first question in the affirmative and to the second in the negative, he shall be allowed to vote after he has been informed of the penalty for personation The polling officer shall make a note of the circumstances and of his decision on the list of challenged votes

(5) The polling officer shall, at the close of the pollforward to the Commissioner the statement mentioned in sub-rule(2) enclosed in the packet containing the list of challenged votes

(6) The Commissioner shall immediately institute such inquiries as may be necessary and shall take steps to prosecute the persons - whom he believes to be guilty of the offence of personation after obtaining the previous sanction, required by section 196 of the Code of Criminal Procedure, 1895, such sanction being obtained from the Commissioner of Police If it is found as a result of the judicial trial that the offence of personation has not been proved, the Commissioner of the Corporation shall decide whether the whole or part of the deposit shall be declared forfeit to the Corporation In coming to a decision on this point the Commissioner shall be guided by the facts and conclusions recorded at the trial. If there is no judicial trial, the Commissioner shall, in his discretion, decide whether having regard to the relevent circumstances, the whole or part of the deppsit shall be declared forfeit to the Corporation The deposit or such portion thereof as has not been declared forfeit, shall be returned to the person who made the depisit

(7) A challenge once made shall not be permitted to be withdrawn except with the forfeiture of the deposit and except after the election under the orders of the Commissioner

28 An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot be conveniently used as a ballot paper may, on delivering it to the polling officer and satisfying him of the inadvertence, obtain another ballot paper in place of the - spoilt one, the latter one together with its counterfoil being marked as cancelled Where such an elector has originally received more than one ballot paper he shall not be given fresh ballot paper, unless he delivers to the polling officer all the ballot papers he had originally received which shall, together with their counterfoils, be marked as 'Cancelled'

29 (1) A public servant or polling agent who being entitled to vote in the division is duly appointed or authorised for duty at a polling station at which he is not ordinarily entitled to record his

vote at the polling station where he is employed The said certificate shall be in Form VIII

If a polling officer, public servant or polling agent is on duty at a polling station not relating to the division in which he is entitled to record his vote, the Commissioner shall in addition to the certificate mentioned above, furnish the polling officer concerned with particulars regarding the number of votes which an elector is entitled to give and the names of and serial numbers and colours assigned to the candidates standing for election in that division together with a ballot paper or ballot papers relating to such division and an envelope in each of the colours assigned to such candidate:

The Commissioner shall in either case, immediately send a copy of the certificate to the polling officer of the polling station at which the person to whom the certificate is issued is ordinarly entitled to record his vote

(2) A person in possession of a certificate in the form prescribed in sub-rule (1) shall deliver the certificate to the polling officer of the station where he is on duty who shall thereupon issue to the person, ballot papers in the same manner as to any other elector. Such ballot papers shall be dealt with in the following manner. -

(i) If the polling station at which the person is on duty relates to the division in which he is entitled to vote, then the provisions contained in rules 21 and 22 shall apply. The polling officer shall at the end of the poll send the certificate to the Commissioner along with the statement mentioned in rule 32.

(ii) If the polling station at which the person is on duty be not in the division in which he is entitled to vote, the polling office shall issue the ballot paper or if there are two seats two ballot papers with instructions similar to those contained in sub-rule (2) of rule 21 /The person shall proceed into the polling compartment and place the ballot paper or each of the ballot papers in an envelope bearing the colour assigned to the candidature or each of the candidates for whom he wishes to vote. He shall then stick the envelope or envelopes and enclose the same in a cover and hand over the cover to the Polling Offic

The polling officer shall make up into separate packets for each division the covers in which votes have been so recorded, the connected certificates being fastened to the cover, seal up each such packet in the manner specified in rule 31 and forward the same to the Commissioner

30 (1) Where the proceedings at any polling station are seriously interrupted or obstructed by any riot or open violence or otherwise or where a large number of electors are unable to attend the poll at the polling station by reason of any act of God such as flood or fire, the polling officer shall stop the poll, pending the receipt of the orders of the Commissioner The fact that the poll has been xxxxx so stopped shall be immediately announced by the polling officer to the persons present at the polling station

(2) Where a polling officer stops a poll under sub-rule (1) he shall observe the procedure laid down in rules 31 and 32 and forthwith make a full report of the circumstances to the Commissioner

(3) The Commissioner shall thereupon order

(a) that the poll be continued at the polling station for the number of hours for which it was not held on the previous occasion, or

(b) that the proceedings at the poll held at the polling station on the previous occasion be ignored and that a fresh poll be held at such - xx polling station for the full number of hours for which it should have been held on the previous occasion

(4) xAny order passed by the Commissioner under this sub-rule shall be final

xAny order passed under sub-rule (3) shall - (state

(i) the date on which, and the hours between which the continuation poll or the fresh poll, as the case may be shall be held, and

(ii) the date on which and the place and hour at which the Commissioner will xxxxxxxxxxx commence the counting of the votes under rule 33 and

(b) be published in the manner laid down in sub-rule (2) of rule 1 not less than seven days before the date fixed for the continuation poll or for the fresh poll as the case may be.

(5) (a) Where an order is passed under clause (a) of sub-rule (3) for the continuation of the poll, the Commissioner shall proceed afresh

under sub-rule (1) of rule 13 and return to the polling officer appointed under that sub-rule , all the packets received by him under sub-rule (2) of this rule.

(b) The polling officer shall open the packets just before the commencement of the continuation poll in the presence of such person as may be present at the polling station and commence such poll precisely at the hour fixed therefor in the order passed by the Commissioner under clause (a) of sub-rule (3).

(c) At the continuation poll, the polling officer shall allow only such electors to vote as did not vote on the previous occasion

(6) Where an order is passed under clause (b) of sub-rule (3) for holding a fresh poll, the Commissioner shall proceed afresh under sub-rule (1) of rule 13 and a fresh poll shall be held at the polling station concerned in accordance with the provisions of those rules in all respects as if it were being held at such polling station for the first time.

Explanation - There shall be no fresh nominations in cases under this sub-rule.

(7) Notwithstanding anything contained in this rule, if a candidate dies at any time before orders are passed by the Commissioner under sub-rule (3) or at any time after the passing of such orders but before the commencement of the continuation poll or of the fresh poll, as the case may be, the Commissioner shall, upon being satisfied of the fact of the death of the candidate, stop all further proceedings in connection with the election, and start election proceedings afresh in all respects as if for a new election by the division concerned,

Provided that no fresh nomination shall be necessary in the case of the remaining candidates who stood nominated at the time when the poll was stopped.

31 (1) The polling officer shall close the polling station at the hour appointed for closing under rule 1 or sub-rule (4) of rule 30 as the case may be so as to prevent the admission thereto of any

elector after that hour and no ballot paper shall be issued thereafter

(2) The polling officer of each polling station, as soon as ~~x~~ practicable after the close of the poll, shall in the presence of any candidate or polling agent who may be present make up into - separate packets and seal with his own seal and seals of such = candidates or agents as may decide to affix their seals -

(i) each ballot box in use at such station unopened but with the key(which should ~~x~~ also be sealed in the same manner as the - ballot box), attached

(ii) the ~~xxxxxxx~~ tendered ballot papers,

(iii) the unused ballot papers

(iV) the spoilt ballot papers

(v) the marked copy of the elected roll,

(vI) the counterfoils of the ballot papers,

(vii) The tendered votes list,

(viii) the list of challenged votes with the statement or statements mentioned in sub-rules (2) and (5) of rule 27, and

(ix) the covers referred to in clause (ii) of sub-rule (2) of rule 29 and shall forward such packets to the Commissioner.

(3) Each packet shall be numbered and shall bear a note as to its contents, the name of the polling station and the number of the division. Where no vote has been recorded at any polling station, the polling officer shall submit a nil report together with the statement in Form IX referred to in rule 32.

32. The packets shall be accompanied by a statement, in a separat cover, in Form IX made by the polling officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot boxes. unused, spoilt and tendered ballot papers.

33. (1) The counting of votes shall commence on the day and at th place and hour appointed in that behalf. Votes shall be counted by under the supervision of the Commissioner, and each candidate, the election agent of each candidate, and one representative of each - candidate authorised in writing by the candidate shall have a right to be present at the time of counting. No other person shall be allowed to be present except such persons as the Commissioner may appoint to assist him in counting votes and no person shall be appointed to assist in counting the votes, who has been employed by or on behalf of any candidate for any purpose whatsoever connected with the election.

Here to the extent of provisions of the Mysore Act corresponding to the Indian Elections Act

(2) The Commissioner shall, before he commences to count the votes, read the provisions of section 69 of the City of Bangalore Municipal Corporation Act, 1969, to such persons as may be present, and shall then proceed as follows:-

(a) The ballot box or boxes relating to all polling stations in the division bearing the same serial number and colour and all enevelopes of the same colour as those boxes, enclosed in covers which may have been received under rule 29 shall be opened one after another. The ballot papers shall be taken out therefrom, and counte and the total number of votes secured by the candidate concerned recc ed in a statement He shall then proceed similarly with the boxes

boxes and envelopes of each colour which may have been prescribed in the division.

(b) The Commissioner shall allow the candidates and their agents reasonable opportunities to inspect, without handling, all ballot papers which in his opinion are liable to be rejected. He shall endorse on every ballot paper which is rejected the word rejected. If any candidate or agent present questions the correctness of the rejection , he shall also record on the ballot paper the grounds for the rejection.

(c), The Commissioner shall, as far as practicable, proceed continuously with the counting of the votes, and shall, during any necessary intervals during which the counting has to be suspended place the ballot papers, packets and other documents relating to the election under his own seal and the seals of such candidates or agents as may desire to affix them and shall cause adequate precautions to be taken for their custody.

34. (1) A ballot paper shall be rejected if it-

(a) bears any mark by which the elector can be identified

(b) does not bear the official stamp prescribed in rule 2

(c) bears the mark belonging to a division different from that of the ballot box in which it is found,

Provided that a ballot paper dealt with under clause (ii) of sub-rule (2) of rule 29 shall not be rejected merely on the ground that it bears the mark of a division different from the one in which the elector is entitled to vote

Provided further that a ballot paper shall not be rejected under clause (b) if the Commissioner is satisfied beyond reasonable doubt that the ballot paper was one issued by the polling officer

(2) If two ballot papers bearing the same serial number be found in a ballot box, they shall count only as one vote in favour of the candidate to whom that box is assigned

(3) Except on the grounds mentioned, in sub-rules (1) & (2), no ballot paper shall be rejected

(4) The decision of the Commissioner as to the validity of a ballot paper shall be final subject only to reversal on an election petition.

(1) After the Commissioner has completed the scrutiny and

and counting of votes, he shall prepare a statement of the results of the polling in Form X and shall, subject to the provisions of rule 39, declare that the candidate or candidates to whom most valid votes have been given, has or have been duly elected:

Provided that if a seat is reserved for any community or for women, the Commissioner shall first declare the candidate belonging to that community or who is a woman, as the case may be, to whom the largest number of votes have been given to be elected to such reserved seat.

(2) Any candidate or his agent shall, on application, be permitted to take a copy or an extract from the statement in Form X.

36.(1) The Commissioner shall not open the sealed packets containing tendered ballot papers, the marked copy of the electoral roll or the counterfoils of the ballot papers. He shall verify the statement submitted by the polling officer under rule 32 by comparing it with the number of accepted ballot papers and of rejected ballot papers and the usused ballot papers in his possession.

(2) The Commissioner shall then make up into separate bundles in respect of each candidate-

(i) such of the ballot papers as have been accepted as valid, and
(ii) the remaining ballot papers which have been rejected as invalid.

He shall then make up both the bundles into one packet and seal the packet with his own seal He shall also reclose and reseal each of the other packets which were opened by him and record on each such packet a description of its contents.

DISPOSAL OF BALLOT PAPERS

37 (1) The Commissioner shall, after declaring the rusults, retain in his custody, the packets of ballot papers, whether counted, rejected or tendered, and of the counterfoils thereo: These packets shall not be opened and their contents shall not be inspected or produced except under the orders of an election or other competent court

(2). The Commissioner shall retain the packets and the

the marked copies of the electoral roll for a year and shall then unless otherwise directed by the orders of an election or other competent court, cause them to be destroyed.

38. The name or names of the candidate or candidates duly elected shall be forwarded without delay by the Commissioner to the Superintendent, Government Press, for publication in the .. official Gazette and shall also be published on the notice board of the municipal office.

39. (1) If any question arises as to the interpretation of these rules otherwise than in connexion with an inquiry held under the rules for the decision of disputes as to the validity of an election the question shall be referred to the Government, whose decision shall be final.

(2) Pending the decision of the Government on any such reference made to them or the issue of final orders on any inquiry which the Government may institute upon receipt of information that an election is being or about to be held in contravention of the rules, it shall be lawful for the Government to direct the stay of the election proceedings at any stage thereof prior to the declaration of the results. Any election held or continued in contravention of the orders of the Government under this rule shall be void and of no effect whatsoever.

(3) Unless it is otherwise ordered by the Government, election proceedings stayed under this rule shall, on cancellation of the stay order, proceed from the stage at which they were stayed on fresh dates to be fixed

(4) If any difficulty arises as to the holding of any election under these rules, the Government may, by order, do anything not inconsistent with these rules which appears to them necessary for the proper holding of the election Every order passed under this sub-rule shall be laid before each of the chambers of the Provincial Legislature at its next meeting

ELECTIONS FOR LABOUR SEATS

40. Rules 1 to 39 shall apply mutatis mutandis to the conduct of elections to fill the seats specially reserved for labour as if the words 'Labour electorate(were substituted for the word 'division' wherever it occurs in the said rules,

Provided that the amount of the deposit to be made by candidates not belonging to scheduled castes, shall be fifty rupees only.

Rules applicable to elections to both Divisional and Labour Seats:-

---

41. Nothwithstanding anying contained in the foregoing rules, the Government may, for special reasons, empower the Commissioner to fix dates and periods other than those spefified or fixed by or under these rules, for all or any of the stages of the election proceedings connected therewith.

SBA.
22/12.

B-O

Gaul Secy

To

The Compiler, Rules Gazettes for publication in the next issue of the Gazette and supply 150 copies thereof each to the Commr Corpn, Chief Inspector Labour and Director of Backwards

Please.

Copy of the Commr for info

B O

Secy Gaul Secy

42 In these rules unless there is anything repugnant to the sub ect or context-

(a) "the Act" means the City of Bangalore Lunicipal Corporation 1949

(b) "Commissioner' means the Commissioner of the Corporation of Bangalore

(c) "Government" means the Government of Mysore

FORM I
(See rule 2 (1))

CORPORATION OF BANGALORE

Nomination paper

1 Name and number of the Division / Labour electorate

2 Full name of candidate

3 Number of candidate in the electoral roll

4 Father's, or Husband 's name

5 Age

6 Sex

7 Community

8 Occupation and address

9 Full name of proposer

10 Number of proposer in the electoral roll

11 Signature of the proposer

12. Full name of the seconder

13 Number of the seconder in the electoral roll

14 Signature of the seconder

Candidate's declaration

I declare that I am willing to stand for election

Signature of candidate

Endorsement by the Commissioner or other suthorized person

Serial number

This nomination paper was presented to me by (person) at (date and hour)

Singature of the Commissioner or other authorized person

Instruction

Nomination papers which are not presented to the Commissioner or other authorized person before (hour) on the day of 194 sha not be received

CORPORATION OF BANGALORE

List of nomination received on (date) for

Division
Labour electorate
1 Serial number
2 Name of candidate
3 Father's, or hushand's name
4 Community
5 Occupation and address

NOTE - The nomination papers will be taken up for scrutiny at $\frac{\text{a m}}{\text{p m}}$ on th

day of at (place)

Commissioner or other authorized person

Instruction - Letter and brackets (S) shall be added after the name if the candidate is a women

FORM III

(See rule 10 (2))

List of valid nominations

Corporation of Bangalore Division Labour electorate

Serial number	Names of candidates	Sex of candidates	Communities to which the candidates belong	Address of candidates	Distinctive colours assigned to candidates
1	2-	3	4.	5	6

Note- The poll will be taken between already notified and at the polling stations

Commissioner

FORM IV A
(See rule 20)

Corporation of Bangalore Division Labour electorate

Serial number

FORM IV
(See rule 20)

Corporation of Bangalore Division Labour electorate

Serial number

FOrm V
(See rule 26)
Tendred votes list

Corporation of Bangalore
Division, Labour electorate

Name and number	Division Labour electorate	Name of elector	Number in electoral roll	Signature of elector, or impression of elector if illiterate a and address
1	2	3	4	5

Form VI.
(see rule 27)
Corporation of Bangalore

Declaration of personation

I (name) hereby declare and undertake to prove that the person described below has, by applying for a ballot paper at this polling station, committed the offence of personation.

Description of the person

Name. Address. Signature or thumb impressi

Signature of candidate or agent

Witnesses-

1 (Name and address)

2. (Name and address)

(Before me)
Signature of the polling officer

Division
Labour electorate
Corporation of Bangalore

Form V11
(see rule 27.)
List of challenged votes
Corporation of Bangalore
Division
Labour electorate

Name of polling station

Signature sheet no

Number of elector On the electoral roll	Name of elector	Signature of elector if literate or thumb impression of elector if Illiterate.	Signature and address of identifier if any

Order of polling officer (in each case).

Signature of the Polling officer

Form V111
(see rule 29)
Corporation of Bangalore
Form of certificate entitling a person to vote outside polling area

Certified that entitled to vote in for

Division
Labour electorate
has been employed in connection with the election

for Division
Labour electorate
and is prevented from voting at the said station

and that I have therefore authorized him to vote at

Station
Date

Signature of Commissione

FORM IX
(See rule 32)

Statement by polling Officer at _____ Division in the _____ Labour electorate Corporation of Bangalore after the polling on 19

Division

Labour electorate

Description	Number received	Number of ballot paper in packets.	Number of ballot paper in packets Rule 29 (2) (11)	Number of tendered ballot papers rule 26	Number unused	Number spoilt	Ballot papers dealt with under Rule 29 (2) (1) included under column (3)	Remarks
1	2.	3.	4	5.	6.	7	8	9

Ballot papers

FORM X
(See rule 35)

Return showing results of the election for seats reserved for _____ Division of the Corporation of Bangalore

Labour electorate Corporation of Bangalore

Number Name of candidate Number of valid votes

Total number of valid votes

Total number of invalid votes

I do hereby declare that the following candidate/candidates has/have been duly elected for division to the seat reserved for

to the seat reserved for*

to the general seat

Deputy Commissioner
Corporation of Bangalore

*Not to be filled in the case of election to seats reserved for labour

Commissioner

Secretary to Government

by the person authorised by the Commissioner in this behalf,

B. The police or other public servants on duty, and

C. His own clerks and such persons as the polling officer may from time to time admit for the purpose of identifying electors

3. Where a woman elector cannot be identified by the indentification officers appointed under sub-rule (1) by reason of her observ "purdah", she may be required to be indentified by any of her nea relatives, unless she otherwise satisfies the polling officer of her identity.

If any question arises as to whether a person is or is not a near relative within the meaning of this sub-rule, it shall be decided by the polling officer and his decision shall be final

14. Each polling ~~offices~~ station, and at a polling station having more than one polling booth, each such booth shall contain a separate compartment in which electors can record their votes screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in boxes. As far as possible separate compartments and separate entrances and exits shall where action is not taken under rule 15, be provided for woman electors.

15. Notwithstanding anything hereinbefore contained the Commissioner may, at his discretion if women in sufficient number suitable and willing to actas polling officers are available, provide a separate polling station for taking the votes of the women electors for any polling area ~~fo~~ or make such other arrangements as may be necessary to ensure the privacy of such electors. In such cases, only women shall be appointed to act as polling officers in respect of the votes of the women electors concerned. Except the police or other public servants on duty, no candidate, agent of a candidate or other person who is not a woman shall be admitted into or be present at such polling station or the place where the votes of such women elector are taken as the case may be

16. 1. The Commissioner shall provide in each polling compartment at each polling station, as many ballot boxes as there are candidates the box of each candidate bearing the serial number and the distinctive colour or colours assigned to him. He shall also provide a sufficient number of envelopes bearing the distinctivecolours assigned

RULES SUPPLEMENT TO PART I-A

OF

THE FORT ST. GEORGE GAZETTE

No 2] MADRAS TUESDAY EVENING JANUARY 27 1948

LOCAL ADMINISTRATION DEPARTMENT

Rules for election of divisional councillors of Corporation of ~~Madras~~ Bangalore and of councillors to fill seats specially reserved for labour

(G O Ms No 2083 L A 15th December 1947)

In exercise of the powers conferred by section 59 of the Madras City Municipal Act 1919 (Madras Act IV of 1919) and in supersession of the late Local Self Government Department Notifications Nos 877 and 878 dated the 11th October 1936, published at pages 418–427 of Part I A of the *Fort St George Gazette* dated the 11th October 1936 as subsequently amended His Excellency the Governor of Madras hereby makes the following rules for the election of the divisional councillors of the Corporation of Madras and of the councillors to fill the seats specially reserved for labour

RULES

ELECTION OF DIVISIONAL COUNCILLORS

1 (1) Not less than one month before the date fixed for an election the Commissioner, Corporation of ~~Madras~~ Bangalore shall forward for the approval of the Government a notice thereof stating—

(a) the number of persons to be elected

(b) the divisions for which they are to be elected

(c) the number of seats in each division for which elections are to be held and if any seat is reserved for whom it is reserved

(d) the dates on which the places at which and hours between which nomination papers should be presented an interval of at least twenty days being allowed between the date fixed for election and the earliest date for presentation of nomination papers

(e) the person by whom the nomination papers will be received

(f) the dates on which the nomination papers will be taken up for scrutiny

(g) the day on which and the place or places where the votes of the electors will be taken should there be a poll and the hours during which the poll will be open not being less than ten hours between 7 a m and 6 p m and

(h) the day on which and the place and hour at which the Commissioner will commence the counting of the votes

(2) The Commissioner shall cause the notice as approved by the Government to be published in the *Fort St George Gazette* and in two or more of the local daily newspapers and copies thereof shall be affixed in not less than three conspicuous places in each division for which the election is to be held

Nomination of candidates

2 (1) The nomination of every candidate shall be made by means of a nomination paper in Form I which shall on application be supplied free of cost by the Commissioner to any elector whose name is on the electoral roll for the division

(2) Every nomination paper shall be signed by two such electors as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for election

(3) The same elector may sign as many nomination papers as there are vacancies to be filled but no more Each candidate shall be nominated by a separate nomination paper

(4) Every nomination paper shall be presented by the candidate in person or by his proposer and seconder together on any of the dates at the place and during the hours appointed to the Commissioner or to such other persons as may be authorized by him in this behalf The Commissioner or such other authorized person shall forthwith number the nomination papers serially in the order in which they are presented and enter on each nomination paper the time at which it is presented

(5) Where a person has signed whether as proposer or seconder a larger number of nomination papers than there are vacancies to be filled those of the papers so signed which have been first received up to the number of vacancies to be filled shall be deemed to be valid

(6) The rejection of a nomination paper of any candidate on the ground of any irregularity in respect thereof shall not affect the validity of the nomination of the candidate if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed

(7) No nomination paper shall be received after the appointed time on the last of the dates appointed for the presentation of nomination papers

3 On the presentation of a nomination paper the Commissioner or other authorized person referred to in rule 2 (4) may require the person or persons presenting the same to produce a copy of the electoral roll on which the candidate and his proposer and seconder are registered or of the necessary entries therein and shall satisfy himself that the name and number of the candidate and his proposer and seconder as entered in the nomination paper are the same as those entered in the electoral roll Where necessary he shall direct that the former be amended so as to be in accordance with the latter

The Commissioner may interpret an entry in the electoral roll so as to overlook merely clerical or printing errors but he shall record the interpretation adopted by him together with the reasons therefor

4 (1) At or before the time of presentation of his nomination paper or papers, each candidate wishing to stand for election shall deposit or cause to be deposited with the Commissioner in cash or in Government promissory notes of equal value at the market rate of the day a sum of twenty five rupees if he is a member of the Scheduled Castes or a sum of one hundred rupees if he is not a member of such castes and no candidate shall be deemed to be duly nominated for any division in respect of which such deposit has not been made A separate deposit shall be rquired in respect of each division for which the candidate wishes to stand

Explanation —The delivery to the Commissioner of a receipt from any Government treasury or bank wherein the council has an account evidencing the payment by or on behalf of a candidate to the credit of the Corporation ~~of Madras~~ of the amount required to be deposited under this sub rule shall be deemed to be a deposit of such amount within the meaning of this sub rule made by or on behalf of such candidate at the time of such delivery

(2) If no nomination paper is received within the time appointed in that behalf in respect of any person by whom or on whose behalf the deposit referred to in sub-rule (1) has been made or if the nomination of any such person is rejected, or if he withdraws his candidature in the manner and within the time specified in rule 8 (1) the deposit shall be returned to the person by whom it was made and if any candidate dies before the commencement of the poll any such deposit if made by him shall

be returned to his legal representative or if not made by the candidate shall be returned to the person by whom it was made

(3) If a candidate by whom or on ~~whose behalf~~ the deposit referred to in sub rule (1) has been made withdraws his candidature under rule 8 (2) or if he is not elected and the number of votes polled by him ~~does not~~ exceed one-eighth of the total number votes polled divided by the number ~~of members~~ to be elected the deposit shall be ~~returned~~ to the Corporation ~~of Madras~~ Bye

(4) For the purpose of sub rule (3) the number of votes polled shall be deemed be the number of ballot papers, other than spoilt ballot papers counted

(5) The deposit made in respect of a candidate who is not elected shall if it is not forfeited under sub rule (3) be returned to the candidate or to the person who has made the deposit on his behalf as the case may be as soon as may be, after the publication of the result of the election in the ~~Fort St. George Gazette~~ and the deposit made in respect of a candidate who is elected shall be so returned as soon as may be after the candidate has taken his seat in the council or in pursuance of a direction by the Government for the return of the deposit despite the fact that the seat has not been so taken by the candidate

(6) Notwithstanding anything contained in sub rules (2) and (5) where deposits have been made by or on behalf of a candidate in respect of two or more divisions not more than one of the deposits shall be returned and the remainder shall be forfeited to the Corporation of ~~Madras~~ Bye

(7) A deposit required to be returned to any person under sub rule (2) or sub-(5) shall if such person is dead be returned to his legal representative

(8) Notwithstanding anything contained in this rule a deposit made under sub rule (1) shall not be returned unless a claim therefor is delivered or sent by post to the Commissioner by the person who made the deposit or by his legal representative as the case may be within six months of the date of the declaration by the Commissioner of the results of the election or where such declaration is made on two different dates within six months of the later of such dates

5. The Commissioner or other authorized person referred to in sub rule (4) of rule 2 shall at least fifteen days before the date fixed for the election publish in the Municipal office and in three conspicuous places in the division for which an election is to be held and by an advertisement in two or more of the local daily newspapers a list in Form II of all nominations received with a notice that the nomination papers will be taken up by the Commissioner for scrutiny at the ~~Municipal~~ office or other specified place on the dates appointed under rule 1 Corpn.

Scrutiny of nomination papers

6 (1) The Commissioner shall attend at the ~~Municipal~~ Corporation office on the two consecutive working days next after the last day upon which the list of candidates nominated has been published in order to scrutinize the nomination papers and to hear any objections which may be made to any nomination Such objections may relate not only to the form of nomination but also to violation and non-observance of all or any of the provisions of the Act or rules thereunder relating to such nomination and may include objections concerning the eligibility of the candidates to stand for elections or of the nominators to nominate Any elector of the division may file a written statement raising any such objection The Commissioner may either on such objection or on his own motion after such summary enquiry, if any as he thinks necessary reject any nomination on any of the following grounds —

(i) That the candidate is ineligible for election under the law for the time being in force,

(ii) that the proposer or seconder is a person whose name is not registered on the electoral roll

(iii) that there has been any failure on the part of the candidate or his proposer seconder to comply with the provisions of rule 2 or rule 4

(iv) that in case the election is solely for a seat reserved for any community or women, the candidate does not belong to that community or is not a woman, as the case may be

Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or seconder or of any other particulars relating to the candidate or his proposer or seconder as entered in the electoral roll if the identity of the candidate proposer or seconder as the case may be is established beyond reasonable doubt

(2) The Commissioner shall endorse on each nomination paper his decisi accepting or rejecting the same and if the nomination paper is rejected shall reco in writing a brief statement of his reasons for such rejection The scrutiny shall completed on or before the last of the days notified in this behalf under rule 1 and adjournment of the proceedings shall be allowed

(3) The decision of the Commissioner on any such objection as aforesaid shall final for the purposes of the election unless within one week of the date on which t decision has been given a petition for the revision of the decision be filed before t Chief Judge of the Court of Small Causes, Madras in such a case the decision the Chief Judge shall be final In case the objection is allowed the decision of t Commissioner or the said Chief Judge as the case may be shall be communicated to the candidates affected thereby

7 (1) In case a revision petition has been filed under rule 6 and the decision of t said Chief Judge has for any reason not been given more than three days befo the date fixed for the election under rule 1 the Commissioner shall stop further pr ceedings in regard to the holding of the election and shall report the matter to t Government who shall fix by notification in the Fort St George Gazette a fre date for the election in respect of which such nomination was made and copies of su notification shall be posted in not less than three conspicuous places in the divisio The procedure prescribed by rules 2 to 6 shall whatever be he decision of the Commi sioner or the Chief Judge be repeated for such fresh election unless the Governme shall by a special order otherwise direct

(2) The Government may fix a fresh date for the election not only in the cont gency referred to in sub rule (1) but whenever they deem fit to do so and they ma exercise this power not only once but as often as may be necessary

8 (1) Any candidate may withdraw his candidature by notice in writing signe by him and delivered to the Commissioner at any time after the presentaton of h nomination paper or papers and not later than 3 o clock in the afternoon of the da succeeding the last of the days appointed for the scrutiny of nominations Unless th notice is delivered by the candidate himself to the Commissioner the candidate signature on the notice shall be attested by a person empowered to attest vakalats

(2) In cases where a poll is found to be necessary a candidate may also withdra his candidature by notice in writing signed by the candidate and delivered by hi personally to the Commissioner after the latest hour for withdrawal referred to i sub rule (1) but at least seven clear days before the date appointed for the poll

A withdrawal under this sub rule may be made not later than 5 o clock in th afternoon of the last day for such withdrawal

Explanation —Withdrawal under this sub rule shall entail forfeiture of the depos made by or on behalf of the candidate

(3) The Commissioner on receiving a notice of withdrawal under sub rule (1) o sub rule (2) shall as soon as may be cause a notice of the withdrawal to be publishe on the notice board of the Municipal office and where the withdrawal is under sub rule (2) shall forthwith give intimation of such withdrawal to all other candidate of the division who have not withdrawn their candidatures

(4) A candidate who has withdrawn his candidature under sub rule (1) or sub rule (2) shall not be allowed to cancel the withdrawal or to be re-nominated a candidate for the same election

9 The following provisions shall apply in respect of candidates whose nomin have not been rejected and who have not withdrawn their candidature —

Case I —Where the election is held for filling up only a general seat or a reserve seat in a division—

(a) if there is only one candidate the Commissioner shall declare such candidat to be duly elected to such general or reserved seat

(b) if there are two or more candidates the Commissioner shall arrange fo a poll to be taken and

(c) if there is no candidate the seat shall be filled up in accordance with th provisions of section 50 of the Act

Case II —Where the election is held for filling up both the general and reserve seats in a division—

(a) if there is only one candidate and—

(i) if such candidate is eligible for the reserved seat the Commissioner shall [illegible] duly elected to the reserved seat

(ii) such candidate if not eligible for the reserved seat the Commissioner shall declare him to be duly elected to the general seat and

(iii) the other seat shall be filled up in accordance with the provisions of [illegible] of the Act,

(b) if there are only two candidates and—

(i) if both of them are eligible for the reserved seat the Commissioner shall by drawing lots declare one of them to be duly elected to the reserved seat and the other candidate to the general seat

(ii) if only one of them is eligible for the reserved seat the Commissioner shall declare such candidate to be duly elected to the reserved seat and the other candidate to the general seat, and

(iii) if neither of them is eligible for the reserved seat the Commissioner shall arrange for a poll to be taken to fill up the general seat and the reserved seat shall be filled up in accordance with the provisions of section 50 of the Act and

(c) if there are more than two candidates and—

(i) if two or more of them are eligible for the reserved seat the Commissioner shall arrange for a poll to be taken to fill up both the seats

(ii) if only one of them is eligible for the reserved seat the Commissioner shall declare such candidate to be duly elected to the reserved seat and shall arrange for a poll to be taken to fill up the general seat and

(iii) if no such candidate is eligible for the reserved seat the Commissioner shall arrange for a poll to be taken to fill up the general seat and the reserved seat shall be filled up in accordance with the provisions of section 50 of the Act

Explanation—In this rule "candidate" means a candidate who has been duly nominated and has not withdrawn his candidature in the manner and within the time specified in sub-rule (2) of rule 8

candidate shall be deemed to be eligible to a reserved seat if such candidate belongs to the community or is a woman according as the seat is reserved under section 52 (2) (a) of the Act for that community or for women

10 (1) If a poll is found to be necessary, the Commissioner shall assign to each candidate subject to such directions as may be issued by the Government in that behalf one or the following colours namely red, green blue and yellow or where the number of candidates exceeds four the colours aforesaid and in addition thereto purple and such other distinctive colours (except black) as the Commissioner may determine

(2) Three days before the date fixed for election under rule 1 or rule 7 the Commissioner shall prepare a list in Form III of persons whose nominations have not been rejected and who have not withdrawn their candidature and publish it on the notice board of the Municipal office and in two conspicuous places in the division for which the election is to be held and by advertisement in two or more local daily newspapers

(3) The list shall contain the names of the candidates in the order of the English alphabet, and shall describe them as in their nomination papers and if a poll is found to be necessary shall also specify the distinctive colours assigned to them under sub-rule (1).

If after the scrutiny of nominations has been completed and before the poll is taken a candidate whose name appears in the list of valid nominations published under rule 10 becomes ineligible for election under clause (f) of sub-section (2) of section 52 of the Act the Commissioner shall upon being satisfied as to the existence of such ineligibility reject the nomination of the candidate and the provisions of rule 9 or section 50 of the Act as the case may be shall apply

Provided that nothing contained in this rule shall apply if the candidate has already been declared duly elected under rule 9

12 If after the taking of a poll has become necessary and before the poll is taken a candidate who has been duly nominated dies, the Commissioner upon being satisfied of the fact of the death of the candidate countermand the poll and election proceedings shall be started afresh in all respects as if for a new election

Provided that no fresh nomination shall be necessary in the case of the candidates or candidates who stood nominated at the time of the countermanding of the poll.

13 (1) If a poll has to be taken the Commissioner shall appoint forthwith one more polling officers for each polling station and such other persons to assist polling officers as he thinks necessary and may pay them reasonable remuneration for the services The Commissioner shall provide for each polling officer such number clerks as may be necessary and may also if necessary appoint one or more identifying officers to assist the polling officer in identifying the electors Polling officers shall neither be councillors for the divisions for which the poll is to be taken nor registered electors therein

(2) The polling officer shall keep order at the polling station shall see that the election is fairly conducted and that votes are recorded with absolute secrecy shall regulate the number of electors to be admitted at one time and shall exclude all other persons except—

(a) the candidates and at each booth one agent of each candidate at a time (hereinafter referred to as the polling agent) appointed in writing by the candidate and approved by the Commissioner or by the person authorized by the Commissioner in this behalf

(b) the police or other public servants on duty

(c) his own clerks and such persons as the polling officer may from time to time admit for the purpose of identifying electors

(3) Where a woman elector cannot be identified by the identification officers appointed under sub rule (1) by reason of her observing purdah she may be required to be identified by any of her near relatives unless she otherwise satisfies the polling officer of her identity

If any question arises as to whether a person is or is not a near relative within the meaning of this sub rule it shall be decided by the polling officer and his decision shall be final

14 Each polling station and at a polling station having more than one polling booth each such booth shall contain a separate compartment in which electors can record their votes screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in boxes As far as possible separate compartments and separate entrances and exits shall where action is not taken under rule 15 be provided for women electors

15 Notwithstanding anything hereinbefore contained the Commissioner may at his discretion if women in sufficient number suitable and willing to act as polling officers are available provide a separate polling station for taking the votes of the women electors for any polling area or make such other arrangements as may be necessary to ensure the privacy of such electors In such cases only women shall be appointed to act as polling officers in respect of the votes of the women electors concerned Except the police or other public servants on duty no candidate agent of a candidate or other person who is not a woman shall be admitted into or be present at such polling station or the place where the votes of such women electors are taken as the case may be

16 (1) The Commissioner shall provide in each polling compartment at each polling station as many ballot boxes as there are candidates the box of each candidate bearing the serial number and the distinctive colour or colours assigned to him He shall also provide a sufficient number of envelopes bearing the distinctive colours assigned to the candidate and such other colours as may be necessary to give effect to clause (ii) of sub rule (2) of rule 29 together with the necessary outer covers copies of the electoral roll or such part thereof as contains the names of the electors entitled to vote at the station and such other papers stationery and forms as may be necessary He shall further provide a board on which is displayed in bold and clear print the name of each candidate in English and in such other language or languages current in the division as the Commissioner may think fit the serial number and the colour or colours assigned to him and the number of vacancies for which the election is held

(2) Every ballot box shall be so constructed that ballot papers can be introduced therein but cannot be withdrawn therefrom without the box being unlocked.

17 A notice shall be put up at the entrance to the polling station giving the number and names of the candidates as published in Form III There shall be given against the name of each candidate both a description and a sample of the distinguishing colour directed to be used on the ballot box assigned to the candidate

polling officer shall be supplied by the Commissioner with a list of electors division for which such polling officer is appointed The ballot papers and shall be delivered to the polling officer by the Commissioner or other authorized by him sufficiently early before the hour fixed for the starting of

(1) The polling officer at any polling station immediately before the commence of the poll, shall show each of the ballot boxes empty to such persons as may at such station so that they may see that it is empty and shall then lock and place his seal upon it in such manner as to prevent its being opened breaking such seal He shall thereupon place the box so locked and sealed the polling compartment for the receipt of ballot papers but screened from on except in so far as it may be necessary to ensure that the ballot papers placed in it

ballot boxes shall be arranged from left to right in the place set apart for pose and in the order in which the names are published in Form III

Before the polling station is opened for the recording of votes the polling shall read to such persons as may be present the provisions of section 14 of ~~Electoral Officers and Inquiries Act, 1920~~, and shall explain the substance ereof in the language or languages current in the division

Ballot papers shall be in Form IV and shall have counterfoils attached to them shall be in Form IV A They shall be serially numbered both on the foil and counterfoil On every ballot paper, such mark as may be directed by the Commissioner shall be stamped across the perforation between the ballot paper and counterfoil in such a manner that the mark falls partly on the ballot paper and partly on the counterfoil Where the poll is taken for two seats every one of the serial numbers shall be printed on two consecutive ballot papers the first of such ballot papers shall bear the number alone and the remaining ballot paper shall bear the number with a capital letter of the English alphabet added after it in order

Illustration —If there are two seats for which a poll is taken the serial numbering shall be 1 and 1-A 2 and 2-A 3 and 3-A and so on

21 (1) At an election for a division in which not more than one seat has to be filled, an elector shall be given only one ballot paper which shall be placed in the ballot-box bearing the serial number and the colour assigned to the candidate for whom he desires to vote

(2) At an election for a division in which two seats have to be filled the elector shall be given two ballot papers and the polling officer shall explain to the elector—

(i) the number of candidates for whom he may vote

(ii) that he may place one ballot paper in the ballot box of each of the candidates for whom he wishes to vote

(iii) that he should not place both the ballot papers in the same ballot box and

(iv) that where elector wishes to vote for only one candidate and does not wish to exercise his second vote he shall return the surplus ballot paper to the polling officer

(3) The surplus ballot paper referred to in clause (iv) of sub rule (2) together the corresponding counterfoil shall be marked as cancelled

(4) Immediately before any ballot paper or papers are delivered to an elector the number name and description of the elector as stated in the electoral roll shall be called out He shall then detach the ballot paper or papers from the counterfoil and deliver it to the elector and shall place a mark on a copy of the electoral roll against the number of the elector to denote that he has received the ballot paper or papers but with no indication of the particular ballot paper or papers which he has received

22 The elector on receiving the ballot paper or papers shall forthwith proceed into the polling compartment and there place the ballot paper or papers in the ballot box or boxes according to his choice Every elector shall vote without undue delay and shall quit the polling station as soon as he has voted He shall not place anything except a ballot paper in any box Anything other than ballot papers found in any box shall be forfeited to the Corporation ~~of Madras~~

23 (1) If the polling officer is satisfied that an elector is incapacitated by blindness from voting in the manner prescribed in rule 22, the polling officer shall ascertain from the elector for which candidate or candidates he wishes to vote and shall in the

presence of any candidates or polling agents who may be present place the paper or papers in the box or each of the boxes bearing the serial number or and the colour or colours assigned to the candidate or each of the candidates whom he wishes to vote Where the elector wishes to vote for only one and does not wish to exercise his second vote the surplus ballot paper its corresponding counterfoils shall be marked as cancelled

(2) In the case of every elector whose ballot paper or papers are dealt with in manner laid down in sub rule (1) a note shall be made on the counterfoil polling officer of the reason why the paper or papers were so dealt with

24 Special facilities in accordance with the instructions if any issued Commissioner in that behalf may be accorded to women electors

25 When a person presents himself to vote and at any time before a ballot is supplied to him the polling officer may of his own accord and shall if by a candidate or polling agent put to such person either or both of the questions —

(i) Are you the person enrolled as follows (reading the whole entry from

(ii) Have you already voted at the present election in this polling station any other polling station

And the person shall not be supplied with a ballot paper unless he unqualified answer to the question or questions put to him and unless his the first question is in the affirmative and the second in the negative mentioned herein and subject to the provisions of section 50 of the Act whose name is found on the electoral roll shall be entitled to be supplied with paper

54

26 If a person representing himself to be a particular elector named electoral roll applies for a ballot paper after another person has voted as such the applicant shall after duly answering such questions as the polling officer may be entitled to receive a ballot paper or ballot papers in the same manner as any elector

The polling officer shall write the word Tendered in bold characters on face of the ballot paper or each of the ballot papers before it is handed over to person On receipt of such ballot paper or papers (hereinafter referred to as ballot papers) the elector shall proceed into the polling compartment and there ballot paper or each of the ballot papers in an envelope bearing the colour to the candidate or each of the candidates for whom the applicant wishes to He shall then stick the envelope or envelopes and enclose the same in a cover hand it over to the polling officer The polling officer shall make an containing the name of the elector and his number on the electoral roll and number of the division for which the election is held and shall set aside the a separate packet the ballot papers in which shall not be counted by the Commissioner The name of the elector and his number in the electoral roll and the or distinctive number of the polling station to which the roll relates shall be in a list in Form V which shall bear the heading Tendered votes list The tendering such ballot paper or papers shall sign his name and address on that or affix his thumb impression thereto

Explanation —In cases falling under this rule to which rule 27 is also the provisions of this rule as well as of rule 27 shall be followed

27 (1) If any candidate or polling agent declares and undertakes to prove any person by applying for a ballot paper has committed the offence of the polling officer shall call upon the candidate or agent bringing forward the of personation to deposit with him a sum of five rupees in cash A separate shall be required for proceeding with each charge of personation If such not made the polling officer shall ignore the challenge

(2) Immediately the deposit required by sub rule (1) has been made the officer shall obtain a written statement in Form VI which shall be signed by the date or agent as the case may be and attested by two credible witnesses, in presence of the polling officer

(3) The polling officer shall then require the applicant for the ballot enter in the list of challenged votes (which shall be in Form VII) his name and or if he is unable to write to affix his thumb impression thereto and may require such person to produce evidence of identification

(4) If the applicant for the ballot paper on being questioned in the manner vided in rule 25 gives unqualified answers to the first question in the affirmative

the second in the negative [illegible] to vote after he has been informed the penalty for personation The [illegible] shall make a note of the circumstances and of his decision on the [illegible] vote

(5) The polling officer shall at the close of the poll forward to the Commissioner a statement mentioned in sub-rule (2) enclosed in the packet containing the list of challenged votes

(6) The Commissioner shall immediately institute such inquiries as may be necessary and shall take steps to prosecute the persons whom he believes to be guilty of the offence of personation after obtaining the previous sanction required by section 196 of the Code of Criminal Procedure 1898 such sanction being obtained from the Commissioner of Police If it is found as a result of the judicial trial that the offence of personation has not been proved the Commissioner of the Corporation shall decide whether the whole or part of the deposit shall be declared forfeit to the Corporation Adhering to a decision on this point the Commissioner shall be guided by the facts and conclusions recorded at the trial If there is no judicial trial the Commissioner shall in his discretion decide whether having regard to the relevant circumstances the whole or part of the deposit shall be declared forfeit to the Corporation The deposit or such portion thereof as has not been declared forfeit shall be returned to the person who made the deposit

(7) A challenge once made shall not be permitted to be withdrawn except with the forfeiture of the deposit and except after the election under the orders of the Commissioner

28 An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot be conveniently used as a ballot paper may on delivering it to the polling officer and satisfying him of the inadvertence obtain another ballot paper in place of the spoilt one, the latter one together with its counterfoil being marked as cancelled Where such an elector has originally received more than one ballot paper he shall not be given fresh ballot paper, unless he delivers to the polling officer all the ballot papers he had originally received which shall together with their counterfoils be marked as Cancelled

29 (1) A public servant or polling agent who being entitled to vote in the division is duly appointed or authorized for duty at a polling station at which he is not ordinarily entitled to record his vote may apply to the Commissioner for a certificate entitling him to record his vote at the polling station where he is employed The said certificate shall be in Form VIII

If a polling officer public servant or polling agent is on duty at a polling station not relating to the division in which he is entitled to record his vote the Commissioner shall in addition to the certificate mentioned above furnish the polling officer concerned with particulars regarding the number of votes which an elector is entitled to give and the names of and serial numbers and colours assigned to the candidates standing for election in that division together with a ballot paper or ballot papers relating to such division and an envelope in each of the colours assigned to such candidates

The Commissioner shall in either case immediately send a copy of the certificate to the polling officer of the polling station at which the person to whom the certificate is issued is ordinarily entitled to record his vote

(2) A person in possession of a certificate in the form prescribed in sub rule (1) shall deliver the certificate to the polling officer of the station where he is on duty who shall thereupon issue to the person ballot papers in the same manner as to any other elector Such ballot papers shall be dealt with in the following manner —

(i) If the polling station at which the person is on duty relates to the division in which he is entitled to vote then the provisions contained in rules 21 and 22 shall apply The polling officer shall at the end of the poll send the certificate to the Commissioner along with the statement mentioned in rule 32

(ii) If the polling station at which the person is on duty be not in the division in which he is entitled to vote the polling officer shall issue the ballot paper or if there are two seats two ballot papers with instructions similar to those contained in sub-rule (2) of rule 21 The person shall proceed into the polling compartment and place the ballot paper or each of the ballot papers in an envelope bearing the colour assigned to the candidature or each of the candidates for whom he wishes to vote He shall then stick the envelope or envelopes and enclose the same in a cover and hand over the cover to the polling officer The polling officer shall make up into separate packets for each division the covers in which votes have been so recorded the connected certificates being fastened to the cover, seal up each such packet in the manner specified in rule 31 and forward the same to the Commissioner

30 (1) Where the proceedings at any polling station are seriously interrupted or obstructed by any riot or open violence or otherwise or where a large number of electors unable to attend the poll at the polling station by reason of any act of God such as

flood or fire the polling officer shall stop the poll pending the receipt of the Commissioner The fact that the poll has been so stopped shall be immediately announced by the polling officer to the persons present at the polling station

(2) Where a polling officer stops a poll under sub rule (1) he shall observe the procedure laid down in rules 31 and 32 and forthwith make a full report of the circumstances to the Commissioner

(3) The Commissioner shall thereupon order—

(a) that the poll be continued at the polling station for the number of hours for which it was not held on the previous occasion or

(b) that the proceedings at the poll held at the polling station on the previous occasion be ignored and that a fresh poll be held at such polling station for the full number of hours for which it should have been held on the previous occasion

Any order passed by the Commissioner under this sub-rule shall be final

(4) Any order passed under sub rule (3) shall—

(a) state—

(i) the date on which and the hours between which the continuation poll or the fresh poll as the case may be shall be held and

(ii) the date on which and the place and hour at which the Commissioner will commence the counting of the votes under rule 33 and

(b) be published in the manner laid down in sub rule (2) of rule 1 not less than seven days before the date fixed for the continuation poll or for the fresh poll as the case may be

(5) (a) Where an order is passed under clause (a) of sub rule (3) for the continuation of the poll the Commissioner shall proceed afresh under sub rule (1) of rule 13 and return to the polling officer appointed under that sub rule all the packets received by him under sub rule (2) of this rule

(b) The polling officer shall open the packets just before the commencement of the continuation poll in the presence of such persons as may be present at the polling station and commence such poll precisely at the hour fixed therefor in the order passed by the Commissioner under clause (a) of sub rule (3)

(c) At the continuation poll the polling officer shall allow only such electors to vote as did not vote on the previous occasion

(6) Where an order is passed under clause (b) of sub rule (3) for holding a fresh poll the Commissioner shall proceed afresh under sub rule (1) of rule 13 and a fresh poll shall be held at the polling station concerned in accordance with the provisions of these rules in all respects as if it were being held at such polling station for the first time

Explanation—There shall be no fresh nominations in cases falling under this sub rule

(7) Notwithstanding anything contained in this rule if a candidate dies at any time before orders are passed by the Commissioner under sub rule (3) or at any time after the passing of such orders but before the commencement of the continuation poll or of the fresh poll as the case may be the Commissioner shall upon being satisfied of the fact of the death of the candidate stop all further proceedings in connexion with the election and start election proceedings afresh in all respects as if for a new election by the division concerned

Provided that no fresh nomination shall be necessary in the case of the remaining candidates who stood nominated at the time when the poll was stopped

31 (1) The polling officer shall close the polling station at the hour appointed for closing under rule 1 or sub rule (4) of rule 30 as the case may be so as to prevent the admission thereto of any elector after that hour and no ballot paper shall be issued thereafter

(2) The polling officer of each polling station as soon as practicable after the close of the poll shall in the presence of any candidate or polling agent who may be present make up into separate packets and seal with his own seal and seals of such candidates or agents as may decide to affix their seals—

(i) each ballot box in use at such station unopened but with the key (which should also be sealed in the same manner as the ballot box) attached

(ii) the tendered ballot papers

(iii) the unused ballot papers

(iv) the spoilt ballot papers

(v) the marked copy of the electoral roll

(vi) the counterfoils of the ballot papers

(vi) the tend[illegible]

(vii) the list [illegible] votes with the statement or statements mentioned in sub[illegible] (2) and (5) [illegible] 27, and

(ix) [illegible] covers referred to in clause (ii) of sub-rule (2) of rule 29 and shall forward such packets to the Commissioner

(3) Each packet shall be numbered and shall bear a note as to its contents the name of the polling station and the number of the division Where no vote has been received at any polling station, the polling officer shall submit a nil report together with the statement in Form [illegible] referred to in rule 32

(4) The packets shall be accompanied by a statement, in a separate cover in Form [illegible] made by the polling officer, showing the number of ballot papers entrusted to him and accounting for them under the heads of ballot papers in the ballot boxes unused spoilt and tendered ballot papers

32. (1) The counting of votes shall commence on the day and at the place and hour appointed in that behalf Votes shall be counted by or under the supervision of the Commissioner and each candidate the election agent of each candidate and one representative of each candidate authorized in writing by the candidate shall have a right to be present at the time of counting No other person shall be allowed to be present except such persons as the Commissioner may appoint to assist him in counting votes and no person shall be appointed to assist in counting the votes who has been employed by or on behalf of any candidate for any purpose whatsoever connected with the election

(2) The Commissioner shall before he commences to count the votes read the provisions of section [illegible] of the ~~Indian Election Offences and Inquiries Act, 1920~~ to such persons as may be present and shall then proceed as follows —

(a) The ballot box or boxes relating to all polling stations in the division bearing the same serial number and colour and all envelopes of the same colour as those boxes, enclosed in covers which may have been received under rule 29 shall be opened one after another The ballot papers shall be taken out therefrom and counted and the total number of votes secured by the candidate concerned recorded in a statement He shall then proceed similarly with the boxes and envelopes of each colour which may have been prescribed in the division

(b) The Commissioner shall allow the candidates and their agents reasonable opportunities to inspect without handling all ballot papers which in his opinion are liable to be rejected He shall endorse on every ballot paper which is rejected the word "rejected" If any candidate or agent present questions the correctness of the rejection, he shall also record on the ballot paper the grounds for the rejection

(c) The Commissioner shall as far as practicable proceed continuously with the counting of the votes and shall during any necessary intervals during which the counting has to be suspended place the ballot papers packets and other documents relating to the election under his own seal and the seals of such candidates or agents as may desire to affix them and shall cause adequate precautions to be taken for their custody

33. (1) A ballot paper shall be rejected if it—

(a) bears any mark by which the elector can be identified or

(b) does not bear the official stamp prescribed in rule 20 or

(c) bears the mark belonging to a division different from that of the ballot box in which it is found

Provided that a ballot paper dealt with under clause (ii) of sub rule (2) of rule 29 shall not be rejected merely on the ground that it bears the mark of a division different from the one in which the elector is entitled to vote

Provided further that a ballot paper shall not be rejected under clause (b) if the Commissioner is satisfied beyond reasonable doubt that the ballot paper was one issued by the polling officer

(2) If two ballot papers bearing the same serial number be found in a ballot box they shall count only as one vote in favour of the candidate to whom that box is assigned

(3) Except on the grounds mentioned, in sub rules (1) and (2) no ballot paper shall be rejected

(4) The decision of the Commissioner as to the validity of a ballot paper shall be final, subject only to reversal on an election petition

35. (1) After the Commissioner has completed the scrutiny and counting of votes he shall prepare a statement of the results of the polling in Form X and shall subject to the provisions of rule 39 declare that the candidate or candidates to whom most valid votes have been given has or have been duly elected

Provided that if a seat is reserved for any community or for women the Commissioner shall first declare the candidate belonging to that community or a woman as the case may be to whom the largest number of votes have been to be elected to such reserved seat

(2) Any candidate or his agent shall on application be permitted to take copy or an extract from the statement in Form X

36 (1) The Commissioner shall not open the sealed packets containing tendered ballot papers the marked copy of the electoral roll or the counterfoils of the ballot papers He shall verify the statement submitted by the polling officer under rule 32 by comparing it with the number of accepted ballot papers and of rejected ballot papers and the unused ballot papers in his possession

(2) The Commissioner shall then make up into separate bundles in respect of each candidate—

(i) such of the ballot papers as have been accepted as valid and
(ii) the remaining ballot papers which have been rejected as invalid

He shall then make up both the bundle into one packet and seal the packet with his own seal He shall also reclose and reseal each of the other packets which were opened by him and record on each such packet a description of its contents

Disposal of ballot papers

37 (1) The Commissioner shall after declaring the results retain in his custody, the packet of ballot papers whether counted rejected or tendered and of the counterfoils thereof These packets shall not be opened and their contents shall not be inspected or produced except under the orders of an election or other competent court

(2) The Commissioner shall retain the packets and the marked copies of the electoral roll for a year and shall then unless otherwise directed by the orders of an election or other competent court cause them to be destroyed

38 The name or names of the candidate or candidates duly elected shall be forwarded without delay by the Commissioner to the Superintendent Government Press for publication in the *Fort St George Gazette* and shall also be published on the notice board of the municipal office

39 (1) If any question arises as to the interpretation of these rules otherwise than in connexion with an inquiry held under the rules for the decision of disputes as to the validity of an election the question shall be referred to the Government whose decision shall be final

(2) Pending the decision of the Government on any such reference made to them or the issue of final orders on any inquiry which the Government may institute upon receipt of information that an election is being or about to be held in contravention of the rules it shall be lawful for the Government to direct the stay of the election proceedings at any stage thereof prior to the declaration of the results Any election held or continued in contravention of the orders of the Government under this rule shall be void and of no effect whatsoever

(3) Unless it is otherwise ordered by the Government election proceedings stayed under this rule shall on cancellation of the stay order proceed from the stage at which they were stayed on fresh dates to be fixed

(4) If any difficulty arises as to the holding of any election under these rules, the Government may by order do anything not inconsistent with these rules which appear to them necessary for the proper holding of the election Every order passed under this sub rule shall be laid before each of the chambers of the Provincial Legislature at its next meeting

ELECTIONS FOR LABOUR SEATS

40 Rules 1 to 39 shall apply *mutatis mutandis* to the conduct of elections to fill the seats specially reserved for labour as if the words labour electorate were substituted for the word division wherever it occurs in the said rules

Provided that the amount of the deposit to be made by candidates not belonging to scheduled castes shall be fifty rupees only

Rules applicable to elections to both Divisional and Labour Seats

41 Notwithstanding anything contained in the foregoing rules the Government may for special reasons empower the Commissioner to fix dates and periods other than those specified or fixed by or under these rules for all or any of the stages of the election proceedings connected therewith

[illegible]

[illegible] address

[illegible] of proposer

[illegible] of seconder in [illegible]

[illegible] of the proposer

[illegible] of the seconder

[illegible] of the seconder in the [illegible]

[illegible] of the seconder

Candidate's declaration

[illegible] that I am a [illegible] subject of State or [illegible] willing to stand for election

Signature of candidate

Endorsement by the Commissioner or other authorized person

Serial number

This nomination paper was presented to me by (person) at (date and hour)

Signature of the Commissioner or other authorized person

Instruction

[illegible] papers which are not presented to the Commissioner or other authorized [illegible] (hour) on the day of 194 shall [illegible]

FORM II

(*See* rule 5)

Corporation of ~~Madras~~ B'lore

List of nominations received on (date)

Division

Labour electorate

1 Serial number

2 Name of candidate *

3 Father s ~~karnavan's~~ or husband s name

4 Community

5 Occupation and address

NOTE —The nomination papers will be taken up for scrutiny at $\frac{\text{a m}}{\text{p m}}$ on the day of at (place)

Commissioner or other authorized perso

* *Instruction* —Letter and brackets [S] shall be added after the name if the candidat a women

FORM III

[*See* rule 10 (2)]

List of valid nominations

Corporation of Madras

Division

Labour electorate

Serial number	Names of candidates	Sex of candidates	Communities to which the candidates belong	Address of candidates	Distinctive colours assigned t candidates
(1)	(2)	(3)	(4)	(5)	(6)

NOTE —The poll will be taken between and at the polling stations already notified

Commissioner

FORM IV A

(*See* rule 20)

Corporation of ~~Madras~~ B'lore Division

Labour electorate

Serial number

FORM IV

(*See* rule 20)

Corporation of ~~Madras~~ B'lore Division

Labour electora...

Serial number

FORM V

(*See* rule 26)

Tendered votes list

Corporation of ~~Madras~~

Division

Labour electorate

Name and number	Division Labour electorate	Name of electo	Number in electoral roll	Signature of elector if literate or thumb impression of elector if illiterate and address
(1)	(2)	(3)	(4)	(5)

and undertake to prove that

this polling station

Signature or thumb impression

Signature of candidate or agent

(Before me)

Signature of polling officer

Division

Labour electorate

Corporation of Madras

FORM VII

(See rule 27)

List of challenged votes

Division

Labour electorate

Serial No. of elector	Name of elector	Signature of elector, if literate, or thumb-impression of elector if illiterate	Signature and address of identifier if any

Order of Polling Officer (in each case)

Signature of polling officer

FORM VIII

(See rule 29)

Corporation of Madras

Form of certificate entitling a person to vote outside polling area

that entitled to vote at for

Division

electorate has been employed in connexion with the election for

Division

Labour electorate and is prevented from voting at the said station

that I have therefore authorized him to vote at

FORM IX

(*See* rule 32)

Statement by polling officer at B'lore in the Division / Labour electorate Corporation ~~of Madras~~ after the polling on for the Division / Labour electorate

Description	Number received	Number of ballot papers in boxes	Number of ballot paper in packets Rule 29 (2) (ii)	Number of tendered ballot papers Rule 26	Number unused	Number spoilt	Ballot papers dealt with under Rule 29 (2) (i) included under column (3)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Ballot paper							

FORM X

(*See* rule 35)

Return showing results of the election for seats reserved for Division / Labour electorate of the Corporation of ~~Madras~~ Corporation of ~~Madras~~ B'lore

Number	Name of candidate	Number of valid votes
Total number of valid votes		
Total number of invalid votes		

I do hereby declare that the following candidate / candidates has / have been duly elected for the ~~Non-union~~ labour electorate division to the seat reserved for

to the seat reserved for *

to the general seat *

Commissioner

* Not to be filled in the case of election to seats reserved for labour

~~K. M. UNNITHAN~~
Secretary to Government

GOVERNMENT OF MYSORE

NOTIFICATION

No L 8030—C M 7 49 9 dated the 28th January 1950

In exercise of the powers conferred by sub section (1) of Section 68 of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949), the Government of Mysore are pleased to make the following rules regulating the procedure with regard to the election of the Divisional Councillors of the Corporation of Bangalore and of the Councillors to fill the seats specially reserved for labour

RULES

Election of Divisional Councillors

1 (*1*) Not less than one month before the date fixed for an election, the Commissioner Corporation of Bangalore, shall forward for the approval of the Government a notice thereof stating—

(*a*) the number of persons to be elected,

(*b*) the divisions for which they are to be elected,

(*c*) the number of seats in each division for which elections are to be held, and if any seat is reserved, for whom it is reserved,

(*d*) the dates on which, the places at which and hours between which, nomination papers should be presented, an interval of at least twenty days being allowed between the date fixed for election and the earliest date for presentation of nomination papers,

(*e*) the person by whom the nomination papers will be received,

(*f*) the dates on which the nomination papers will be taken up for scrutiny,

(*g*) the day on which, and the place or places where, the votes of the electors will be taken should there be a poll, and the hours during which the poll will be open, not being less than ten hours between 7 A M and 6 P.M and

(*h*) the day on which, and the place and hour at which, the Commissioner will commence the counting of the votes

(*2*) The Commissioner shall cause the notice as approved by the Government to be published in the *Mysore Gazette* and in two or more of the local daily newspapers and copies thereof shall be affixed in not less than three conspicuous places in each division for which the election is to be held

Nomination of Candidates

2 (*1*) The nomination of every candidate shall be made by means of a nomination paper in Form I, which shall, on application, be supplied free of cost by the Commissioner to any elector whose names is on the electoral roll for the division

(*2*) Every nomination paper shall be signed by two such electors as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for election

(*3*) The same elector may sign as many nomination papers as there are vacancies to be filled but no more Each candidate shall be nominated by a separate nomination paper

(*4*) Every nomination paper shall be presented by the candidate in person or by his proposer and seconder together on any of the dates at the place and during the hours appointed, to the Commissioner or to such other persons as may be authorised by him in this behalf The Commissioner or such other authorised person shall forthwith number the nomination papers serially in the order in which they are presented and enter on each nomination paper the time at which it is presented

(*5*) Where a person has signed whether as proposer or seconder a larger number of nomination papers than there are vacancies to be filled, those of the papers so signed which have been first received upto the number of vacancies to be filled, shall be deemed to be valid

(*6*) The rejection of a nomination paper of any candidate on the ground of any irregularity in respect

thereof shall not effect the validity of the nomination of the candidate, if the candidate has been duly nominated by means of another nomination in respect of which no irregularity has been committed

(7) No nomination paper shall be received after the appointed time on the last of the dates appointed for the presentation of nomination papers

3 On the presentation of a nomination paper, the Commissioner or other authorised person referred to in rule 2(*4*) may require the person or persons presenting the same to produce a copy of the electoral roll on which the candidate and his proposer and seconder are registered or of the necessary entries therein and shall satisfy himself that the same and number of candidate and his proposer and seconder as entered in the nomination paper are the same as those entered in the electoral roll Where necessary, he shall direct that the former be amended so as to be in accordance with the latter

The Commissioner may interpret any entry in the electoral roll as to overlook merely clerical or printing errors, but he shall record the interpretation adopted by him together with the reasons therefor

4(*1*) At or before the time of presentation of his nomination paper or papers, each candidate wishing to stand for election shall deposit or cause to be deposited with the Commissioner in cash or in Government Promissory notes of equal value at the market rate of the day, a sum of twenty five rupees, if he is a member of the Scheduled Castes or a sum of one hundred rupees, if he is not a member of such castes and no candidate shall be deemed to be duly nominated for any division in respect of which such deposit has not been made A separate deposit shall be required in respect of each division for which the candidate wishes to stand

Explanation —The delivery to the Commissioner of a receipt from the Government Treasury or Bank wherein the Council has an account, evidencing the payment by or on behalf of a candidate to the credit of the Corporation of Bangalore of the amount required to be deposited under this sub rule shall be deemed to be a deposit of such amount within the meaning of this sub rule made by or on behalf of such candidate at the time of such delivery

(2) If no nomination paper is received within the time appointed in that behalf in respect of any person by whom or on whose behalf, the deposit referred to in sub rule (1) has been made, or if the nomination or any such person is rejected, or if he withdraws his candidature in the manner and within the time specified in rule 8 (1) the deposit shall be returned to the person by whom it was made, and if any candidate dies before the commencement of the poll, any such deposit, if made by him, shall be returned to his legal representatives or if not made by the candidate, shall be returned to the person by whom it was made

(3) If any candidate by whom or on whose behalf, the deposit referred to in sub rule (1) has been made withdraws his candidature under rule 8 (2) or if he is not elected and the number of votes polled by him does not exceed one eighth of the total number of votes polled, divided by the number of members to be elected, the deposit shall be forfeited to the Corporation of Bangalore

(4) For the purpose of sub rule (3), the number of votes polled shall be deemed to be the number of ballot papers, other than spoilt ballot papers, counted

(5) The deposit made in respect of a candidate who is not elected shall, if it is not forfeited under sub rule (3), be returned to the candidate or to the person who has made the deposit on his behalf as the case may be as soon as may be, after the publication of the result of the election in the Official Gazette, and the deposit made in respect of a candidate who is elected shall be so returned as soon as may be after the candidate has taken his seat in the Council or in pursuance of a direction by the Government for the return of the deposit despite the fact that the seat has been so taken by the candidate

(6) Notwithstanding anything contained in sub rules (2) and (5) where deposits have been made by or on behalf of a candidate in respect of two or more divisions, not more than one of the deposits shall be returned and the remainder shall be forfeited to the Corporation of Bangalore

(7) A deposit required to be returned to any person under sub rule (2) or sub rule (5), shall, if such person is dead, be returned to his legal representative

(8) Notwithstanding anything contained in this rule, a deposit made under sub rule (1) shall not be returned, unless a claim therefor is delivered or sent by post to the Commissioner by the person who made the deposit or by his legal representative, as the case may be, within six months of the date of the declaration by the Commissioner of the results of the election or where such declaration is made on two different dates, within six months of the later of such dates

5 The Commissioner or other authorised person referred to in sub rule (4) of rule 2, shall at least fifteen days before the date fixed for the election, publish in the Municipal Office and in three conspicuous places in the division for which an electi n is to be held and by an advertisement in two or more of the local daily newspapers, a list in Form II of all nominations received, with a notice that the nomination papers will be taken up by the Commissioner for scrutiny at the Corporation Office or other specified place on the dates appointed under rule 1

SCRUTINY OF NOMINATION PAPERS

6 (*1*) The Commissioner shall attend to the Corporation Office on two consecutive working days next after the last day upon which the list of candidates nomi nated has been published, in order to scrutinise the nomination papers and to hear any objections which may be made to any nomination Such objections may relate not only to the form of nomination but also to violation and non observance of all or any of the provisions of the Act or rules thereunder relating to such nomination and may include objections concerning the eligibility of the candidates to stand for elections or of the nominators to nominate Any elector of the division may file a written statement raising any such objection The Commissioner may either on such objection or on his own motion, after such summary enquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds —

(*i*) That the candidate is ineligible for election under the law for the time being in force

(*ii*) That the proposer or seconder is a person whose name is not registered on the electoral roll

(*iii*) That there has been any failure on the part of the candidate or his proposer or seconder to comply with the provisions of rule 2 or rule 4

(*iv*) That in case, the election is solely for a seat reserved for any community or person, the candidate does not belong to that community or is not a woman, as the case may be

Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or seconder or of any other particulars relating to the candidate or his proposer or seconder as entered in the electoral roll, if the identity of the candidate, proposer or seconder, as the case may be, is established beyond reasonable doubt

(*2*) The Commissioner shall endorse on each nomination paper, his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection The scrutiny shall be completed on or before the last of the days notified in this behalf under rule 1 and no adjournment of the proceedings shall be allowed

(*3*) The decision of the Commissioner on any such objection as aforesaid shall be final for the purposes of the election, unless within one week of the date on which the decision has been given, a petition for the revision of the decision be filed before the District Judge, Bangalore Division, in such a case, the decision of the said Judge, shall, subject to the provisions of sub rule (4), be final In case the objection is allowed, the decision of the Commissioner or the said District Judge or of the High Court as the case may be, shall be communicated to all the candidates affected thereby

(*4*) An appeal shall lie to the High Court from the decision of the District Judge under sub rule (*3*), if the said District Judge certifies that the appeal involves a point of law

7 (*1*) In case a revision petition has been filed under rule 6 and the decision of the said District Judge has for any reason not been given more than three days before the date fixed for the election under rule 1, the Commissioner shall stop further proceedings in regard to the holding of the election and shall report the matter to

the Government, who shall fix, by notification in the Official Gazette, a fresh date for the election in respect of which such nomination was made, and copies of such notification shall be posted in not less than three conspicuous places in the division The procedure prescribed by rules 2 to 6 shall, whatever be the decision of the Commissioner or the District Judge or the High Court, be repeated for such fresh election, unless the Government shall by a special order, otherwise direct

(2) The Government may fix a fresh date for the election not only in the contingency referred to in sub rule (1) but whenever they deem fit to do so and they may exercise this power not only once but as often as may be necessary

8 (1) Any candidate may withdraw his candidature by notice in writing signed by him and delivered to the Commissioner at any time after the presentation of his nomination paper or papers and not later than 3 o clock in the afternoon of the day succeeding the last of the days appointed for the scrutiny of nominations Unless the notice is delivered by the candidate himself to the Commissioner, the candidate s signature on the notice shall be attested by a person empowered to attest vakalats

(2) In cases where a poll is found to be necessary, a candidate may also withdraw his candidature by notice in writing signed by the candidate and delivered by him personally to the Commissioner after the latest hour for withdrawal referred to in sub rule (1) but at least seven clear dates before the date appointed for the poll

A withdrawal under this sub rule may be made not later than 5 o clock in the afternoon of the last day for such withdrawal

Explanation —Withdrawal under this sub rule shall entail forfeiture of the deposit made by or on behalf of the candidate

(3) The Commissioner on receiving a notice of withdrawal under sub rule (1) or sub rule (2) shall, as soon as may be, cause a notice of the withdrawal to be published on the notice board of the Corporation Office , and where the withdrawal, to all other candidates of the division who have not withdrawn their candidatures

(4) A candidate who has withdrawn his candidature under sub rule (1) or sub rule (2) shall not be allowed to cancel the withdrawal or to be re nominated as a candidate for the same election

9 The following provisions shall apply in respect of candidates whose nominations have not been rejected and who have not withdrawn their candidature —

Case I —Where the election is held for filling up only a general seat or a reserved seat in a division—

(a) if there is only one candidate, the Commissioner shall declare such candidate to be duly elected to such general or reserved seat ,

(b) if there are two or more candidates, the Commissioner shall arrange for a poll to be taken , and

(c) if there is no candidate, the seat shall be filled up in accordance with the provisions of section 62 of the Act

Case II —Where the election is held for filling up both the general and reserved seats in a division—

(a) if there is only one candidate, and

(i) if such candidate is eligible for the reserved seat, the Commissioner shall declare him duly elected to the reserved seat ,

(ii) such candidate is not so eligible for the reserved seat the Commissioner shall declare him to be duly elected to the general seat , and

(iii) the other seat shall be filled up in accordance with the provisions of Section 62 of the Act ,

(b) if there are only two candidates, and—

(i) if both of them are eligible for the reserved seat, the Commissioner shall by drawing lots declare one of them to be duly elected to the reserved seat and the other candidate to the general seat,

(ii) if only one of them is eligible for the reserved seat, the Commissioner shall declare such candidate to be duly elected to the reserved seat and the other candidate to the general seat , and

(*iii*) if neither of them is eligible for the reserved seat, the Commissioner shall arrange for a poll to be taken to fill up the general seat, and the reserved seat shall be filled up in accordance with the provisions of section 62 of the Act, and

(*c*) If there are more than two candidates, and—

(*i*) if two or more of them are eligible for the reserved seat, the Commissioner shall arrange for a poll to be taken to fill up both the seats,

(*ii*) if only one of them is eligible for the reserved seat, the Commissioner shall declare such candidate to be duly elected to the reserved seat and shall arrange for a poll to be taken to fill up the general seat, and

(*iii*) if no such candidate is eligible for the reserved seat, the Commissioner shall arrange for a poll to be taken to fill up the general seat and the reserved seat shall be filled up in accordance with the provisions of section 62 of the Act

Explanation—In this rule "candidate" means a candidate who has been duly nominated and has not withdrawn his candidature in the manner and within the time specified in sub rule (2) of rule 8

A candidate shall be deemed to be eligible to a reserved seat if such candidate belongs to the community or is a woman according as the seat is reserved under Section 48 (*2*) (*a*) of the Act for that community or for woman

10 (*1*) If a poll is found to be necessary, the Commissioner shall assign to each candidate subject to such directions as may be issued by the Government in that behalf, one of the following colours, namely, red, green, blue and yellow, or where the number of candidates exceeds four the colours aforesaid and in addition thereto purple and such other distinctive colours (except black) as the Commissioner may determine

(*2*) Three days before the date fixed for election under rule 1 or rule 7, the Commissioner shall prepare a list in Form III of persons whose nominations have not

been rejected and who have not withdrawn their candidature and publish it on the notice board of the Corporation Office and in two conspicuous places in the division for which the election is to be held and by advertisement in two or more local daily newspapers

(3) The list shall contain the names of the candidates in the order of the English alphabet and shall describe them as in their nomination papers and, if a poll is found to be necessary, shall also specify the distinctive colours assigned to them under sub rule (1)

11 If after the scrutiny of nominations has been completed and before the poll is taken, a candidate whose name appears in the list of valid nominations published under rule 10 becomes ineligible for election under clause (f) of sub section (2) of Section 56 of the Act, the Commissioner shall upon being satisfied as the existence of such ineligibility, reject the nomination of the candidate and the provisions of rule 9 or section 62 of the Act, as the case may be shall apply

Provided that nothing contained in this rule shall apply, if the candidate has already been declared duly elected under rule 9

12 If after the taking of a poll has become necessary and before the poll is taken, a candidate who has been duly nominated dies, the Commissioner upon being satisfied of the fact of the death of the candidate countermand the poll, and election proceedings shall be started afresh in all respects as if for a new election

Provided that no fresh nomination shall be necessary in the case of the candidate or candidates, who stood nominated at the time of the countermanding of the poll

13 (1) If a poll has to be taken, the Commissioner shall appoint forthwith one or more polling officers for each polling station and such other persons to assist polling officers as he thinks necessary and may pay them reasonable remuneration for their services The Commissioner shall provide for each polling officer such number of clerks as may be necessary and may also if necessary, appoint one or more identifying officers to assist the polling officer in identifying the electors Polling officers shall neither be Councillors for the divisions for which the poll is to be taken nor registered electors therein

(2) The Polling Officer shall keep order at the polling station shall see that the election is fairly conducted and that votes are recorded with absolute secrecy, shall regulate the number of electors to be admitted at one time, and shall exclude all other persons except—

(a) The candidates and at each booth, one agent of each candidate at a time (hereinafter referred to as the polling agent) appointed in writing by the candidate and approved by the Commissioner or by the person authorised by the Commissioner in this behalf,

(b) The police or other public servants on duty, and

(c) His own clerks and such persons as the polling officer may from time to time admit for the purpose of identifying electors

(3) Where a woman elector cannot be identified by the identification officers appointed under sub rule (1) by reason of her observing "*purdah*" she may be required to be identified by any of her near relatives, unless she otherwise satisfies the polling officer of her identity

If any question arises as to whether a person is or is not a near relative within the meaning of this sub rule, it shall be decided by the polling officer and his decision shall be final

14 Each polling station, and at a polling station having more than one polling booth, each such booth shall contain a separate compartment in which electors can record their votes screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in boxes As far as possible separate compartments and separate entrances and exits shall where action is not taken under rule 15, be provided for women electors

15 Notwithstanding anything hereinbefore contained the Commissioner may, at his discretion if women in sufficient number suitable and willing to act as polling officers are available, provide a separate polling station for taking the votes of the women electors for any polling area or make such other arrangements as may be necessary to ensure the privacy of such electors In such cases, only women shall be appointed to act as polling

officers in respect of the votes of the women electors concerned Except the police or other public servants on duty, no candidate agent of a candidate or other person who is not a woman shall be admitted into or be present at such polling station or the place where the votes of such women electors are taken, as the case may be

16 (*1*) The Commissioner shall provide in each polling compartment at each polling station, as many ballot boxes as there are candidates the box of each candidate bearing the serial number and the distinctive colour or colours assigned to him He shall also provide a sufficient number of envelopes bearing the distinctive colours assigned to the candidates and such other colours as may be necessary to give effect to clause (ii) of sub rule (2) of rule 29 together with the necessary outer covers, copies of the electoral roll or such part thereof as contains the names of the electors entitled to vote at the station, and such other papers, stationery and forms as may be necessary He shall further provide a board on which is displayed in bold and clear print the name of each candidate in English and in such other languages current in the division, as the Commissioner may think fit, the serial number and the colour or colours assigned to him and the number of vacancies for which the election is held

(*2*) Every ballot box shall be so constructed that ballot papers can be introduced therein but cannot be withdrawn therefrom, without the box being unlocked

17 A notice shall be put up at the entrance to the polling station giving the numbers and names of the candidates as published in Form III There shall be given against the name of each candidate both a description and a sample of the distinguishing colour directed to be used on the ballot box assigned to the candidate

18 Each polling officer shall be supplied by the Commissioner with a list of electors for the division for which such polling officer is appointed The ballot papers and ballot boxes shall be delivered to the polling officer by the Commissioner or other person authorised by him, sufficiently early before the hour fixed for the starting of the poll

19 (*1*) The polling officer at any polling station, immediately before the commencement of the poll, shall show each of the ballot boxes empty to such persons as may be present at such station, so that they may see that it is empty and shall then lock it up and place his seal upon it He shall thereupon place the box so locked and sealed, inside the polling compartment for the receipt of ballot papers but screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in it

The ballot boxes shall be arranged from left to right in the place set apart for the purpose and in the order in which the names are published in Form III

(*2*) Before the polling station is opened for the recording of votes, the polling officer shall read to such persons as may be present the provisions of section 69 of the City of Bangalore Municipal Corporation Act and shall explain the substance thereof in the language of languages current in the division

20 Ballot papers shall be in Form IV and shall have counterfoils attached to them which shall be in Form IV A They shall be serially numbered both in the foil and on the counterfoil On every ballot paper, such mark as may be directed by the Commissioner shall be stamped across the perforation between the ballot paper and the counterfoil in such a manner that the mark falls partly on the ballot paper and partly on the counterfoil

Where the poll is taken for two seats, every one of the serial numbers, shall be printed on two consecutive ballot papers, the first of such ballot papers shall bear the number alone and the remaining ballot paper shall bear the number with a capital letter of the English alphabet added after it in order

Illustration —If there are two seats for which a poll is taken the serial numbering shall be 1 and 1 A, 2 and 2 A, 3 and 3 A, and so on

21 (*1*) At an election for a division in which not more than one seat has to be filled, an elector shall be given only one ballot paper which shall be placed in the ballot box bearing the serial number and the colour assigned to the candidate for whom he desires to vote

(2) At an election for a division in which two seats have to be filled, the elector shall be given two ballot papers and the polling officer shall explain to the elector—

(i) the number of candidates for whom he may vote

(ii) that he may place one ballot paper in the ballot box of each of the candidates for whom he wishes to vote,

(iii) that he should not place both the ballot papers in the same ballot box, and

(iv) that where elector wishes to vote for only one candidate and does not wish to exercise his second vote, he shall return the surplus ballot paper to the polling officer

(3) The surplus ballot paper referred to in clause (iv) of sub rule (2), together with the corresponding counterfoil, shall be marked as cancelled

(4) Immediately before any ballot paper or papers are delivered to an elector, the number, name and description of the elector as stated in the electoral roll, shall be called out He shall then detach the ballot paper or papers from the counterfoil and deliver it to the elector and shall place a mark on a copy of the electoral roll against the number of the elector to denote that he has received the ballot paper or papers but with no indication of the particular ballot paper or papers which he has received

22 The elector on receiving the ballot paper or papers shall forthwith proceed into the polling compartment and there place the ballot paper or papers in the ballot box or boxes according to his choice Every elector shall vote without undue delay and shall quit the polling station as soon as he has voted He shall not place anything except a ballot paper in any box Anything other than ballot papers found in any box shall be forfeited to the Corporation

23 (1) If the polling officer is satisfied that an elector is incapacitated by blindness from voting in the manner prescribed in rule 22, the polling officer shall

two creditable witnesses, in the presence of the polling officer

(3) The polling officer shall then require the applicant for the ballot paper to enter in the list of challenged votes (which shall be in Form VII) his name and address or, if he is unable to write, to affix, his thumb—impression thereto and may further require such person to produce evidence of identification

(4) If the applicant for the ballot paper on being questioned in the manner provided in rule 25 gives unqualified answers to the first question in the affirmative and to the second in the negative, he shall be allowed to vote after he has been informed of the penalty for personation The polling officer shall make a note of the circumstances and of his decision on the list of chellenged votes

(5) The polling officer shall, at the close of the poll forward to the Commissioner the statements mentioned in sub rule (2) enclosed in the packet containing the list of challenged votes

(6) The Commissioner shall immediately institute such inquiries as may be necessary and shall take steps to prosecute the persons whom he believes to be guilty of the offence of personation after obtaining the previous sanction, required by section 196 of the Code of Criminal Procedure, 1895, such sanction being obtained from the Commissioner of Police If it is found as a result of the judicial trial that the offence of personation has not been proved, the Commissioner of the Corporation shall decide whether the whole or part of the deposit shall be declared forfeited to the Corporation In coming to a decision on this point, the Commissioner shall be guided by the facts and conclusions recorded at the trial If there is no judicial trial, the Commissioner shall, in his discretion, decide whether having regard to the relevant circumstances, the whole or part of the deposit shall be declared forfeited to the Corporation The deposit or such portion thereof as has not been declared forfeited, shall be returned to the person who made the deposit

(7) A challenge once made shall not be permitted to be withdrawn except with the forfeiture of the deposit and except after the election under the orders of the Commissioner

polling officer may ask, be entitled to receive a ballot paper or ballot papers in the same manner as any other elector

The polling officer shall write the word "Tendered" in bold characters on the face of the ballot paper or each of the ballot papers before it is handed over to such person On receipt of such ballot paper or papers (here inafter referred to as tendered ballot papers) the elector shall proceed into the polling compartment and there place the ballot paper or each of the ballot papers in an envelope bearing the colour assigned to the candidate or each of the candidates for whom the applicant wishes to vote He shall then stick the envelope or envelopes and enclose the name in a cover and hand it over to the polling officer The polling officer shall make an endorsement containing the name of the elector and his number on the electoral roll and the number of the division for which the election is held and shall set aside the cover in a separate packet, the ballot papers in which shall not be counted by the Commissioner The name of the elector and his number in the electoral roll and the name or distinctive number of the polling station to which the roll relates shall be entered in a list in Form V which shall bear the heading "Tendered votes list" The person tendering such ballot paper or papers shall sign his name and address on that list or affix his thumb impression thereto

Explanation—In cases falling under this rule to which rule 27 is also applicable, the provisions of this rule as well as of rule 27 shall be followed

27 (*1*) If any candidate or polling agent declares and undertakes to prove that any person by applying for a ballot paper has committed the offence of personation, the polling officer shall call upon the candidate or agent bringing forward the charge of personation to deposit with him a sum of five rupees in cash A separate deposit shall be required for proceeding with each charge of personation If such deposit is not made, the polling officer shall ignore the challenge

(*2*) Immediately the deposit required by sub rule (1) has been made, the polling officer shall obtain a written statement in Form VI which shall be signed by the candidate or agent, as the case may be, and attested by

two creditable witnesses, in the presence of the polling officer

(3) The polling officer shall then require the applicant for the ballot paper to enter in the list of challenged votes (which shall be in Form VII) his name and address or, if he is unable to write, to affix, his thumb—impression thereto and may further require such person to produce evidence of identification

(4) If the applicant for the ballot paper on being questioned in the manner provided in rule 25 gives unqualified answers to the first question in the affirmative and to the second in the negative, he shall be allowed to vote after he has been informed of the penalty for personation The polling officer shall make a note of the circumstances and of his decision on the list of chellenged votes

(5) The polling officer shall, at the close of the poll forward to the Commissioner the statements mentioned in sub rule (2) enclosed in the packet containing the list of challenged votes

(6) The Commissioner shall immediately institute such inquiries as may be necessary and shall take steps to prosecute the persons whom he believes to be guilty of the offence of personation after obtaining the previous sanction, required by section 196 of the Code of Criminal Procedure, 1895, such sanction being obtained from the Commissioner of Police If it is found as a result of the judicial trial that the offence of personation has not been proved, the Commissioner of the Corporation shall decide whether the whole or part of the deposit shall be declared forfeited to the Corporation In coming to a decision on this point, the Commissioner shall be guided by the facts and conclusions recorded at the trial If there is no judicial trial, the Commissioner shall, in his discretion, decide whether having regard to the relevant circumstances the whole or part of the deposit shall be declared forfeited to the Corporation The deposit or such portion thereof as has not been declared forfeited, shall be returned to the person who made the deposit

(7) A challenge once made shall not be permitted to be withdrawn except with the forfeiture of the deposit and except after the election under the orders of the Commissioner

28 An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot be conveni ently used as a ballot paper may, on delivering it to the polling officer and satisfying him of the inadvertence, obtain another ballot paper in place of the spoilt one, the latter one together with its counterfoil being marked as cancelled Where such an elector has originally received more than one ballot paper he shall not be given fresh ballot paper, unless he delivers to the polling officer all the ballot papers he had originally received which shall, together w th their counterfoils, be marked as "cancelled"

29 *(1)* A public servant or polling agent who being entitled to vote in the division is duly appointed or authorised for duty at a polling station at which he is not ordinarily entitled to record his vote at the polling station where he is employed The said certificate shall be in Form VIII

If a polling officer, public servant or polling agent is on duty at a polling station not relating to the division in which he is entitled to record his vote, the Commis sioner shall in addition to the certificate mentioned above, furnish the polling officer concerned with particulars regarding the number of votes which an elector is entitled to give and the names of and serial numbers and colours assigned to the candidate standing for election in that division together with a ballot paper or ballot papers relating to such division and envelope in each of the colours assigned to such candidates

The Commissioner shall in either case, immediately send a copy of the certificate to the polling officer of the polling station at which the person to whom the certificate is issued is ordinarily entitled to record his vote

(2) A person in possession of a certificate in the form prescribed in sub rule (1) shall deliver the certificate to the polling officer of the station where he is on duty who shall thereupon issue to the person, ballot papers in the same manner as to any other elector Such ballot papers shall be dealt with in the following manner —

(i) If the polling station at which the person is on duty relates to the division in which he is entitled to vote, then the provisions contained

in rules 21 and 22 shall apply The polling officer shall at the end of the poll send the certificate to the Commissioner along with the statement mentioned in rule 32

(*ii*) If the polling station at which the person is on duty be not in the division in which he is entitled to vote, the polling officer shall issue the ballot paper or if there are two seats, two ballot papers with instructions similar to those contained in sub rule (2) of Rule 21 The person shall proceed into the polling compartment and place the ballot paper or each of the ballot papers in an envelope bearing the colour assigned to the candidature or each of the candidates for whom he wishes to vote He shall then stick the envelope or envelopes and enclose the same in a cover and hand over the cover to the polling officer The polling officer shall make up into separate packets for each division the covers in which votes have been so recorded the connected certificates being fastened to the cover, seal up such packet in the manner specified in rule 31 and forward the same to the Commissioner

30 (*1*) Where the proceedings at any polling station are seriously interrupted or obstructed by any riot or open violence or otherwise or where a large number of electors are unable to attend the poll at the polling station by reason of any act of God such as flood or fire, the polling officer shall stop the poll, pending the receipt of the orders of the Commissioner The fact that the poll has been so stopped shall be immediately announced by the polling officer to the persons present at the polling station

(*2*) Where a polling officer stops a poll under sub rule (1) he shall observe the procedure laid down in rules 31 and 32, and forthwith make a full report of the circumstances to the Commissioner

(*3*) The Commissioner shall thereupon order —

(*a*) That the poll be continued at the polling station for the number of hours for which it was not held on the previous occasion or

(*b*) that the proceedings at the poll held at the polling station on the previous occasion be ignored and that a fresh poll be held at such polling station for the full number of hours for which it should have been held on the previous occasion

Any order passed by the Commissioner under this sub rule shall be final

(*4*) Any order passed under sub rule (3) shall—

(*a*) state —

(*i*) the date on which, and the hours between which the continuation poll or the fresh poll, as the case may be shall be held, and

(*ii*) the date on which and the place and hour at which the Commissioner will commence the counting of the votes under rule 33 and

(*b*) be published in the manner laid down in sub rule (2) of rule 1 not less than seven days before the date fixed for the continuation poller for the fresh poll as the case may be

5 (*a*) Where an order is passed under clause (*a*) of sub rule (3) for the continuation of the poll, the Commissioner shall proceed afresh under sub rule (1) of rule 13 and return to the polling officer appointed under that sub rule, all the packets received by him under sub rule (2) of this rule

(*b*) The polling officer shall open the packets just before the commencement of the continuation poll in the presence of such persons as may be present at the polling station and commence such poll precisely at the hour fixed therefor in the order passed by the Commissioner under clause (*a*) of sub rule (3)

(*c*) At the continuation poll, the polling officer shall allow only such elector to vote as did not vote on the previous occasion

(*6*) Where an order is passed under clause (*b*) of sub rule (3) for holding a fresh poll, the Commissioner shall proceed afresh under sub rule (1) of Rule 13 and fresh poll shall be held at the polling station concerned in accordance with the provisions of these rules in all respects

as if it were being held at such polling station for the first time

Explanation —There shall be no fresh nominations in cases under this sub rule

(*7*) Notwithstanding anything contained in this rule, if a candidate dies at any time before the orders are passed by the Commissioner under sub rule (3) or at any time after the passing of such orders but before the commencement of the continuation poll or of the fresh poll, as the case may be, the Commissioner shall, upon being satisfied of the fact of the death of the candidate, stop all further proceedings in connection with the election, and start election proceedings afresh in all respects as if for a new election by the division concerned

Provided that no fresh nomination shall be necessary in the case of the remaining candidates who stood nominated at the time when the poll was stopped

31 (*1*) The Polling Officer shall close the polling station at the hour appointed for closing under Rule 1 or sub rule (4) of rule 30 as the case may be so as to prevent the admission thereto of any elector after that hour and no ballot paper shall be issued thereafter

(*2*) The Polling Officer of each polling station, as soon as practicable after the close of the poll, shall in the presence of any candidate or polling agent who may be present make up into separate packets and seal with his own seal and seals of such candidates or agents as may decide to affix their seals —

(*i*) each ballot box in use at such station unopened but with the key (which should also be sealed in the same manner as the ballot box), attached

(*ii*) the tendered ballot papers,

(*iii*) the unused ballot papers,

(*iv*) the spoilt ballot papers,

(*v*) the marked copy of the elected roll,

(*vi*) the counterfoils of the ballot papers,

(*vii*) the tendered voters lists,

(*viii*) The list of challenged votes with the statement or statements mentioned in sub rules (2) and (5) of Rule 27, and

(*ix*) the covers referred to in clause (*ii*) of sub rule (2) of Rule 29 and shall forward such packets to the Commissioner

(*3*) Each packet shall be numbered and shall bear a note as to its contents, the name of the polling station and the number of the division Where no vote has been recorded at any polling station, the Polling Officer shall submit a nil report together with the statement in Form IX referred to in rule 32

32 The Packets shall be accompanied by a statement, in a separate cover, in Form IX made by the Polling Officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot boxes, unused, spoilt and tendered ballot papers

33 (*1*) The counting of votes shall commence on the day and at the place and hour appointed in that behalf Votes shall be counted by or under the supervision of the Commissioner, and each candidate, the election agent of each candidate, and on representative of each candidate authorised in writing by the candidate shall have a right to be present at the time of counting No other person shall be allowed to be present except such persons as the Commissioner may appoint to assist him in counting votes and no person shall be appointed to assist in counting the votes, who has been employed by or on behalf of any candidate for any purpose whatsoever connected with the election

(*2*) The Commissioner shall, before he commence to count the votes, read the provisions of section 69 of the City of Bangalore Municipal Corporation Act, 1949, to such persons as may be present, and shall then proceed as follows —

(*a*) The ballot box or boxes relating to all polling stations in the division bearing the same serial number and colour and all envelopes of the same colour as those boxes, enclosed in the covers which may have been received under rule 29 shall be opened one after another The ballot papers shall be taken out therefrom, and counted and the total number of votes secured by the candidate concerned recorded in a statement He shall then proceed similarly with the boxes and envelopes of

each colour which may have been prescribed in the division

(*b*) The Commissioner shall allow the candidates and their agents reasonable opportunities to inspect, without handling, all ballot papers which in his opinion are liable to be rejected We shall endorse on every ballot paper which is rejected the word 'rejected' If any candidate or agent present questions the correctness of the rejections, he shall also record on the ballot papers the grounds for the rejection

(*c*) The Commissioner shall, as far as practicable, proceed continuously with the counting of the votes, and shall, during any necessary invervals during which the counting has to be suspended place the ballot papers, packets and other documents relating to the election under his own seal and the seals of such candidates or agents as may desire to affix them and shall cause adequate precautions to be taken for their custody

34 (1) A ballot paper shall be rejected if it—

(*a*) bears any mark by which the elector can be identified, or

(*b*) does not bear the official stamp prescribed in rule 20, or

(*c*) bears the mark belonging to a division different from that of the ballot box in which it is found,

Provided that a ballot paper dealt with under clause (ii) sub rule (2) of rule 29 shall not be rejected merely on the ground that it bears the mark of a division different from the one in which the elector is entitled to vote

Provided further that a ballot paper shall not be rejected under clause (*b*) if the Commissioner is satisfied beyond reasonable doubt that the ballot paper was one issued by the polling officer

(*2*) If two ballot papers bearing the same serial number found in a ballot box, they shall count only as one vote in favour of the candidate to whom that box is assigned

(*3*) Except on the ground mentioned, in sub rules (1) and (2), no ballot paper shall be rejected

(*4*) The decision of the Commissioner as to the validity of a ballot paper shall be final, subject only to reversal on an election petition

35 (1) After the Commissioner has completed the scrutiny and counting of votes he shall prepare a statement of the results of the polling in Form X and shall subject to the provisions of rule 39 declare that the candidate or candidates to whom most valid votes have been given, has or have been duly elected

Provided that if a seat is reserved for any community or for women, the Commissioner shall first declare the candidate belonging to that community or who is a woman, as the case may be, to whom the largest number of votes have been given to be elected to such reserved seat

(2) Any candidate or his agent shall, on application, be permitted to take a copy of an extract from the statement in Form X

36 (1) The Commissioner shall not open the sealed packets containing tendered ballot papers, the marked copy of the electoral roll or the counterfoils of the ballot papers He shall verify the statement submitted by the Polling Officer under rule 32 by comparing it with the number of accepted ballot papers and of rejected ballot papers and the unused ballot papers in his possession

(2) The Commissioner shall then make up into separate bundles in respect of each candidate

(i) such of the ballot papers as have been accepted as valid, and

(ii) the remaining ballot papers which have been rejected as invalid

He shall then make up both the bundles into one packet and seal the packet with his own seal He shall also enclose and re seal each of the other packets which were opened by him and record on each such packet a description of its contents

Disposal of Ballot Papers

37 (1) The Commissioner shall, after declaring the results, retain in his custody, the packets of ballot papers, whether counted, rejected or tendered, and of the counter

foils thereof These packets shall not be opened and their contents shall not be inspected or produced except under the orders of an election or other competent court

(2) The Commissioner shall retain the packets and the marked copies of the electoral roll for a year and shall then, unless otherwise directed by the orders of an election or other competent court, cause them to be destroyed

38 The name or names of the candidate or candidates duly elected shall be forwarded without delay by the Commissioner to the Superintendent, Government Press, for publication in the official Gazette and also be published on the notice board of the Municipal Office

39 (1) If any question arises as to the interpretation of these rules otherwise than in connection with an inquiry held under the rules for the decision of disputes as to the validity of an election, the question shall be referred to the Government whose decision shall be final

(2) Pending the decision of the Government on any such reference made to them or the issue of final orders on any inquiry which the Government may institute upon receipt of information that an election is being or about to be hold in contravention of the rules, it shall be lawful for the Government to direct the stay of the election proceeding at any stage thereof prior to the declaration of the results Any election held or continued in contravention of the orders of the Government under this rule shall be void and of no effect whatsoever

(3) Unless it is otherwise ordered by the Government, election proceedings stayed under this rule shall, on cancellation of the stay order, proceed from the stage at which they were stayed on fresh dates to be fixed

(4) If any difficulty arises as to the holding of any election under these rules, the Government may, by order, do anything not inconsistent with these rules which appears to them necessary for the proper holding of the election Every order passed under this sub rule shall be laid before each of the chambers of the provincial Legislature at its next meeting

Elections for Labour Seats

40 Rules 1 to 39 shall apply *mutatis mutandis* to the conduct of elections to fill the seats specially reserved for labour as if the words 'Labour Electorate' were substituted for the word 'division' wherever it occurs in the said rules,

Provided that the amount of the deposit to be made by candidates not belonging to scheduled castes, shall be fifty rupees only

Rules applicable to elections to both the Divisional and Labour Seats

41 Notwithstanding anything contained in the foregoing rules the Government may, for special reasons, empower the Commissioner to fix dates and periods other than those specified or fixed by or under these rules, for all or any of the stages of the election proceedings connected therewith

42 In these rules unless there is anything repugnant to the subject or context —

(*a*) "the Act' means the City of Bangalore Municipal Corporation Act, 1949

(*b*) "Commissioner' means the Commissioner of the Corporation of Bangalore

(*c*) "Government means the Government of Mysore

A C NIRVANI GOWDA,

Secretary to Government,
General Department

FORM I

(See Rule 2 (1))

CORPORATION OF BANGALORL

NOMINATION PAPER

1 Name and number of the — Division / Labour Electorate —

2 Full name of candidate

3 Number of candidate in the electoral roll

4 Father s or Husband s name

5 Age

6 Sex

7 Community

8 Occupation and address

9 Full name of proposer

10 Number of proposer in the electoral roll

11 Signature of the proposer

12 Full name of the seconder

13 Number of the seconder in the electoral roll

14 Signature of the seconder

Candidate s Declaration

I declare that I am willing to stand for election

Signature of the candidate

Endorsement by the Commissioner or other authorised person
Serial No

This nomination paper was presented to me by (person)
at (date and hour)

Signature of the Commissioner or
other authorised person

Instruction

Nomination papers which are not presented to the Commissioner
or other authorised person before (hour) on the
day of 1950 shall not be received

FORM II

(*See Rule* 5)

CORPORATION OF BANGALORE

List of nomination received on (date)

Division

Labour Electorate

1 Serial Number
2 Name of candidate
3 Father s or Husband's name
4 Community
5 Occupation and address

NOTE —The nomination papers will be taken up for scrutiny at A M / P M

on the day of at (place)

Commissioner or
other authorised person

**Instruction* —Letter and brackets (S) shall be added after the name if the candidate is a women

FORM III

(*See Rule 10 (2)*)

LIST OF VALID NOMINATIONS

Corporation of Bangalore Division

Labour Electorate

Sl No	Names of candi dates	Sex of candi dates	Communities to which the candidate belong	Address of the candidate	Distinctive colours assigned to candidates
1	2	3	4	5	6

NOTE —The poll will be taken and at the Polling stations between already notified

Commissioner

FORM IV

(See Rule 20)

Corporation of Bangalore——Division——
Labour Electorate

Serial
Number

FORM IVA

(See Rule (20)

Corporation of Bangalore——Division——
Labour Electorate

Serial
Number

FO M V

(See Rule 26)

Tendered Voters List

Corporation of Bangalore
Division
——————
Labour Electorate

Name and Number	Division ——— Labour Electorate	Name of elector	Number in electoral roll	Signature of elector or impression of elector in illiterate and address
1	2	3	4	5

FORM VI

(See Rule 27)

CORPORATION OF BANGALORE

Declaration of personation

I (name) hereby declare and undertake to prove that the person described below has by applying for a ballot paper at this polling station committed the offence of personation

Description of the person

Name	Address	Signature or thumb impression

Signature of candidate or agent

Witnesses —

1 (Name and address)

2 (Name and address)

(Before me)
Signature of the polling officer

Division
———— ————
Labour Electorate

Corporation of Bangalore

FORM VII

(See Rule 27)

LIST OF CHALLENGED VOTES

Division
Corporation of Bangalore ———— ————
Labour Electorate

Name of polling station

Signature sheet No

1	2	3	4
Number of elector on the elector roll	Name of elector	Signature of elector if literate or thumb impression of elector if illiterate	Signature and address of identifier if any

Orders of the polling officer (in each case)

Signature of the Polling Officer

FORM VIII

(See rule 29)

CORPORATION OF BANGALORE

Form of certificate entitling a person to vote outside polling area —

Certified that entitled to vote at for Division/Labour Electorate has been employed in connection with the election for Division/Labour Electorate and is prevented from voting at the said station and that I have therefore authorised him to vote at

Station

Date Signature of the Commissioner

FORM IX

(See rule 32)

Statement of polling Officer at in the Division/Labour elector te Corporation of Bangalore after the polling on 195

			Division / Labour Electorate					
Description	Number received	Number of ballot paper in boxes	Number of ballot paper in packets Rule 29 (2) (ii)	Number of tendered ballot papers rule 26	Number unused	Number spoilt	Ballot papers dealt with under Rule 29 (2) (i) included under column (3)	Remarks
1	2	3	4	5	6	7	8	9
Ballot papers								

FORM X

(See rule 35)

Return showing results of the election for seats reserved for Division / Labour Electorate of the Corporation of Bangalore

Number	Name of candidate	Number of valid votes
Total number of valid votes		
Total number of invalid votes		

I do hereby declare that the following candid te / cand dates has / have been duly elected for division to the seat reserved for to the seat reserved for* / to the general seat*

Commissioner

*Not to be filled in the case of election to seats reserved for Labour

General Secretary to Government

FORM X

(See rule 35)

Return showing results of the election for seats reserved for Divis on / Labour Electorate of the Corporation of Bangalore

Number	Name of candidate	Number of valid votes
Total number of valid votes		
Total number of invalid votes		

I do hereby declare that the following candidat / candidates has / have been duly elected for division to the seat reserved for

to the seat reserved for* / to the general seat*

Commissioner

*Not to be filled in the case of election to seats reserved for Labour

General Secretary to Government

GOVERNMENT OF MYSORE

NOTIFICATION

No L 8030/C H 57-49-9 Dated 28 1 1950

Rules for election of divisional Councillors of the Corporation of Bangalore and of Councillors to fill seats specially reserved for Labour

=========

In exercise of the powers conferred by sub-section (1) of Section 68 of the City of Bangalore Municipal Corporation Act, 1104 (LXIX of 1949), the Government of Mysore are pleased to make the following rules regulating the procedure with regard to the election of the Divisional Councillors of the Corporation of Bangalore and of the Councillors to fill the seats specially reserved for labour

RULES

Election of Divisional Councillors

1(1) Not less than one month before the date fixed for an election, the Commissioner, Corporation of Bangalore, shall forward for the approval of the Government a notice thereof stating

(a) the number of persons to be elected,
(b) the divisions for which they are to be elected,
(c) the number of seats in each division for which elections are to be held, and if any seat is reserved, for whom it is reserved,
(d) the dates on which, the places at which and hours between which, nomination papers should be presented, an interval of at least twenty days being allowed between the date fixed for election and the earliest date for presentation of nomination papers,
(e) the person by whom the nomination papers will be received,
(f) the dates on which the nomination papers will be taken up for scrutiny,
(g) the day on which, and the place or places where, the vote of the electors will be taken should there be a poll; and the hours during which the poll will be open, not being less than ten hours between 7 a.m. and 6 p.m and
(h) the day on which, and the place and hour at which, the Commissioner will commence the counting of the votes

(2) The Commissioner shall cause the notice as approved by the Government to be published in the Mysore Gazette and in two or more of the local daily newspapers and copies thereof shall be affixed in not less than three conspicuous places in each division for which the election is to be held.

NOMINATION OF CANDIDATES.

2 (1) The nomination of every candidates shall be made by means of a nomination paper in form I, which shall, on application be suppli

by the person authorised by the Commissioner in this behalf,

B. The police or other public servants on duty, and

C. His own clerks and such persons as the polling officer may from time to time admit for the purpose of identifying electors

3. Where a woman elector cannot be identified by the indentification officers appointed under sub-rule (1) by reason of her observing "purdah", she may be required to be indentified by any of her near relatives, unless she otherwise satisfies the polling officer of her identity.

If any question arises as to whether a person is or is not a near relative within the meaning of this sub-rule, it shall be decided by the polling officer and his decision shall be final

14. Each polling ~~affrxxx~~ station, and at a polling station having more than one polling booth, each such booth shall contain a separate compartment in which electors can record their votes screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in boxes. As far as possible separate compartments and separate entrances and exits shall where action is not taken under rule 15, be provided for woman electors.

15. Notwithstanding anything hereinbefore contained the Commissioner may, at his discretion if women in sufficient number suitable and willing to actas polling officers are available, provide a separate polling station for taking the votes of the women electors for any polling area ~~fx~~ or make such other arrangements as may be necessary, to ensure the privacy of such electors. In such cases, only women shall be appointed ~~to~~ act as polling officers in respect of the votes of the women electors concerned. Except the police or other public servants on duty, no candidate, agent of a candidate or other person who is not a woman shall be admitted into or be present at such polling station or the place where the votes of such women elector are taken, as the case may be

16. 1 The Commissioner shall provide in each polling compartment at each polling station, as many ballot boxes as there are candidates the box of each candidate bearing the serial number and the distinctive colour or colours assigned to him. He shall also provide a sufficient number of envelopes bearing the distinctivecolours assigned

to the candidates and such other colours as may be necessary to give effect to clause (ii) of sub-rule (2) of rule 29 together with the necessary outer covers, copies of the electoral roll or such part thereof as contains the names of the electors entitled to vote at the station and such other papers, stationery and forms as may be necessary He shall further provide a board on which is displayed in bold and clear print the name of each candidate in English and in such other languages current in the division, as the Commissioner mat think fit, the serial number and the colour or colours assigned to him and the number of vacancies for which the election is held.

2. Every ballot box shall be so constructed that ballot papers can be introduced therein but cannot be withdrawn therefrom, without the box being unlocked.

17 A notice shall be put up at the entrance to the polling station giving the numbers and names of the candidates as published in Form III There shall be given against the name of each candidate both a description and a sample of the distinguishing colour directed to be used on the ballot box assigned to the candidate.

18. Each polling officer shall be supplied by the Commissioner with a list of electors for the division for which such polling office is appointed. The ballot papers and ballot boxes shall be delivered to the polling officer by the Commissioner or other person authorised by him sufficiently early before the hour fixed for the starting of the poll

19 (1) The polling officer at any polling station, immediately before the commencement of the poll, shall show each of the ballot boxes empty to such persons as may be present at such station, so that they may see that it is empty, and shall then lock it up, and place his seal upon it. He shall thereupon place the box so locked and sealed, inside the polling compartment for the receipt of ballot paper but screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in it.

The ballot boxes shall be arranged from left to right in the place set apart for the purpose and in the order in which the names are published in Form III.

(2) Before the polling station is opened for the recording of

of votes, the polling ~~officexxxxxxxxx~~ officer shall read to such persons as may be present the provisions of section 69 of the City of Bangalore Municipal Corporation Act and shall explain the sustance thereof in the language of languages current in the division.

20. Ballot papers shall be in Form IV and shall have counterfoils attached to them which shall be in Form IV-A They shall be serially numbered both on the foil and on the counterfoil On every ballot paper, such mark asimay be directed by the Commissioner shall be stamped across the perforation between the ballot paper and the counterfoil in such a manner that the mark falls partly on the ballot paper and partly on the counterfoil Where the poll is taken for two seats, every one of the serial numbers, shall be printed on two consecutive ballot papers, the first of such ballot papers shall bear the number alone and the remaining ballor paper shall bear the number with a capital letter of the English alphabet added after it in order.

<u>Illustration</u>: If there are two seats for which a poll is taken the serial numbering shall be 1 and 1-A, 2 and 2-A, 3 and 3-A, and so on.

21. (1) At an election for a division in which not more than one seat has to be filled, an elector shall be given only one ballot paper which shall be placed in the ballot box bearing the serial number and the colour assigned to the candidate for whom he desires to vote.

(2) At an election for a division in which two seats have to be filled, the elector shall be given two ballot papers and the polling officer shall explain to the elector--

(i) the number of candidates for whom he may vote,

(ii) that he may place one ballot paper in the ballot box of each of the candidates for whom he wishes to vote,

(iii) that he should not place both the ballot papers in the same ballot box, and

(iv) that where elector wishes to vote for only one candidate and does not wish to exercise his second vote, he shall return the surplus ballot paper to the polling officer.

(3) The surplus ballot paper referred to in clause (iv) of sub-rule (2), together with the corresponding counterfoil, shall be marked as cancelle

(4) Immediately before any ballot paper or papers are delivered to an eledtor, the number, name and description of the elector as stated in the electoral roll, shall be called out. He shall then detach the ballot paper or papers from the counterfoil and deliver it to the elector and shall place a mark on a copy of the electoral roll against the number of the elector to denote that he has received the ballot paper or papers but with no indication of the particular ballot paper or papers which he has received

22 The elector on receiving the ballot paper or papers shall forthwith proceed into the polling compartment and there place the ballot paper or papers in the ballot box or boxes, according to his choice Every elector shall vote without undue delay and shall quit the polling station as soon as he has voted He shall not place anything except a ballot paper in any box. Anything other than ballot papers found in any box shall be forfeited to the Corporation.

23.(1) If the polling officer is satisfied that an elector is incapacitated by blindness from voting in the manner prescribed in rule 22, the polling officer shall ascertain from the elector for which candidate or candidates he wishes to vote and shall in the presence of any candidates or polling agents who may be present, place the ballot paper or papers in the box or each of the boxes, bearing the serial number or numbers and the colour or colours, assigned to the candidate or each of the candidates for whom he wishes to vote. Where the elector wishes to vote for only one candidate, and does not wish to exercise his second vote, the surplus ballot paper together with its corresponding counterfoils shall be marked as cancelled .

(2) In the case of every elector whose ballot paper or papers are dealt with in the manner laid down in sub-rule (1), a note shall be made on the counterfoil by the polling officer, of the reason why the paper or papers were so dealt with

24. Special facilities in accordance with the instructions, if any, issued by the Commissioner in that behalf, may be accorded to women electors.

25. When a person presents himself to vote and at any time before a ballor paper is supplied to him, the polling officer may of his own accord and shall, if so required by a candidate or polling

agent, put to such person either or both of the following questions.-

(i) are you the person enrolled as follows (reading the whole entry from roll)

(ii) Have you already voted at the present election in this polling station or in any other polling station.

And the person shall not be supplied with a ballot paper, unless he gives an unqualified answer to the question or questions, put to him and unless his answer to the first question is in the affirmative and the second in the negative. Except as mentioned herein, and subject to the provisions of section 54 of the Act, every person whose name is found on the electoral roll shall be entitled to be supplied with a ballot paper.

26. If a person representing himself to be a particular elector named on the electoral roll applies for a ballot paper after another person has voted as such elector, the applicant shall, after duly answering such questions as the polling officer may ask, be entitled to receive a ballot-paper or ballot papers in the same manner as any other elector

The polling officer shall write the word "Tendered" in bold characters on the face of the ballot paper or each of the ballot papers before, it is handed over to such person On receipt of such ballot paper or papers (hereinafter referred to as tendered ballot papers) the elector shall proceed into the polling compartment and there place the ballot paper or each of the ballot papers in an envelope bearing the colour assigned to the candidate or each of the candidates for whom the applicant wishes to vote. He shall then stick the envelope or envelopes and enclose the name in a cover and hand it over to the polling officer The polling officer shall make an endorsement containing the name of the elector and his number on the electoral roll and the number of the division for which the election is held and shall set aside the cover in a separate packet, the ballot papers in which shall not be counted by the Commissioner The name of the elector and his number in the electoral roll and the name or distinctive number of the polling station to which the roll relates shall be entered in a list in Form V which shall bear the

the heading "Tendered votes list". The person tendering such ballot paper or papers shall sign his name and address on that list or affix his thumb-impression thereto

Explantion. In cases falling under this rule to which rule 27 is also applicable, the provisions of this rule as well as of rule 27 shall be followed

27 (1) If any candidate or polling agent declares and undertakes to prove that any person by applying for a ballot paper has committed the offence of personation, the polling officer shall call upon the candidate or agent bringing forward the charge of personation to deposit with him a sum of five rupees in cash A separate deposit shall be required for proceeding with each charge of personation If such deposit is not made, the polling officer shall ignore the challenge.

(2) Immediately the deposit required by sub-rule (1) has been made, the polling officer shall obtain a written statement in Form VI which shall be signed by the candidate or agent, as the case may be, and attested by two creditable witnesses, in the present of the pollin officer.

(3) The polling officer shall then require the applicant for the ballot paper to enter in the list of challenged votes (which shall be in Form VII) his name and address or, if he is unable to write, to affix, his thumb-impression thereto and may further require such person to produce evidence of identification.

(4) If the applicant for the ballot paper on being questioned in the manner provided in rule 25 gives unqualified answers to the first question in the affirmative and to the second in the negative, he shall be allowed to vote after he has been informed of the penalty for personation The polling officer shall make a note of the circum ances and of his decision on the list of challenged votes

(5) The polling officer shall, at the close of the poll forward to the Commissioner the statements mentioned in sub-rule(2) enclosed in the packet containing the list of challenged votes.

(6) The Commissioner shall immediately institute such inquiries as may be necessary and shall take steps to prosecute the persons whom he believes to be guilty of the offence of personation after obtaining the previous sanction, required by section 196 of the Code of Criminal procedure, 1895, such sanction being obtained from the Commissioner of Police. If it is found as a result of the judicial trial that the offence of personation has not been proved, the Commissioner of ~~Rakiss~~ or the Corporation shall decide whether the whole or part of the depos shall be declared forfeit to the Corporation. In coming to a decisio on this point the Commissioner shall be guided by the facts and conclusions recorded at the trial. If there is no judicial trial, the Commissioner shall in his discretion, decide whether having regard to the relevent circumstances, the whole or part of the deposit shall be declared forfeit to the Corporation. The deposit or such portion thereof as has not been declared forfeit, shall be returned to the person who made the deposit

(7) A challenge once made shall not be permitted to be withdrawn except with the forfeiture of the deposit and except after the electio under the orders of the Commissioner

23. An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot be conveniently used as a ballot paper may, on delivering it to the polling officer and satisfying him of the inadvertence, obtain another ballot paper in place of the spoilt one, the latter one together with its counterfoil being marked as cancelled Where such an elector has orginally received more than one ballot pape he shall not be given fresh ballot paper, unless he delivers to the po ling officer all the ballot papers he had originally received which shall, together with their counterfoils, be marked as cancelled.

29.(1) A public servant or polling agent who being entitled to vote in the division is duly appointed or authorised for duty at a polling station at which he is not ordinarily entitled to record his vote at th polling station where he is employed. The said certificate shall be in Form VIII.

polling officer, public servant or polling agent is on duty
g station not relating to the division in which he is entitle
his vote, the Commissioner shall in addition to the certificat
above, furnish the polling officer concerned with particulars
he number of votes which an elector is entitled to give and
of and serial numbers and colours assigned to the candidate
or election in that division together with a ballot paper or
ers relating to such division and envelope in each of the
signed to such candidates.

Commissioner shall in either case, immediately send a copy
tificate to the polling officer of the polling station at
person to whom the certificate is issued is ordinarily entitle
his vote.

erson in possession of a certificate in the form prescribed in
1) shall deliver the certificate to the polling officer of the
ere he is on duty who shall thereupon issue to the person,
pers in the same manner as to any other elector. Such ballot
ll be dealt with in the following manner.-

If the polling station at which the person is on duty relate
vision in which he is entitled to vote. then the provisions con
rules 21 and 22 shall apply The polling officer shall at th
poll send the certificate to the Commissioner along with the
mentioned in rule 32.

If the polling station at which the person is on duty be
division in which he is entitled to vote, the polling officer
e the ballot paper or if there are two seats two ballot
instructions similar to those contained in sub-rule(2) of
The person shall proceed into the polling compartment and
ballot paper or each of the ballot papers in an envelope bear-
olour assigned to the candidature or each of the candidates
he wishes to vote. He shall then stick the envelope or
and enclose the same in a cover and hand over the cover to
ng officer. The polling officer shall make up into separate
for each division the covers in which votes have been so recorc

the connected

(5) The polling officer shall, at the close of the poll forward to the Commissioner the statements mentioned in sub-rule(2) enclose in the packet contining the list of challenged votes.

(6) The Commissioner shall immediately institute such inquiries a may be necessary and shall take steps to prosecute the persons whom believes to be guilty of the offence of personation after obtaining the previous sanction, required by section 196 of the Code of Crimin procedure, 1895, such sanction being obtained from the Commissioner Police. If it is found as a result of the judicial trial that the offence of personation has not been proved, the Commissioner of Pakis of the Corporation shall decide whether the whole or part of the dep shall be declared forfeit to the Corporation In coming to a decis on this point the Commissioner shall be guided by the facts and conclusions recorded at the trial. If there is no judicial trial, the Commissioner shall, in his discretion, decide whether having regard the relevent circumstances, the whole or part of the deposit shall b declared forfeit to the Corporation The deposit or such portion thereof as has not been declared forfeit, shall be returned to the person who made the deposit.

(7) A challenge once made shall not be permitted to be withdrawn except with the forfeiture of the deposit and except after the elect under the orders of the Commissioner.

28. An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot be conveniently used as a ballot pape may, on delivering it to the polling officer and satisfying him of inadvertence, obtain another ballot paper in place of the spoilt one the latter one together with its counterfoil being marked as cancell where such an elector has orginally received more than one ballot pa he shall not be given fresh ballot paper, unless he delivers to the p ling officer all the ballot papers he had originally received which shall, together with their counterfoils, be marked as 'cancelled'.

29 (1) A public servant or polling agent who being entitled to vote in the division is duly appointed or authorised for duty at a polling station at which he is not ordinarily entitled to record his vote at t polling station where he is employed. The said certificate shall b in form VIII.

If a polling officer, public servant or polling agent is on duty at a polling station not relating to the division in which he is entitle to record his vote, the Commissioner shall in addition to the certificat mentioned above, furnish the polling officer concerned with particulars regarding the number of votes which an elector is entitled to give and the names of and serial numbers and colours assigned to the candidate standing for election in that division together with a ballot paper or ballot papers relating to such division and envelope in each of the colours assigned to such candidates.

The Commissioner shall in either case, immediately send a copy of the certificate to the polling officer of the polling station at which the person to whom the certificate is issued is ordinarily entitle to record his vote.

(2) A person in possession of a certificate in the form prescribed in sub-rule (1) shall deliver the certificate to the polling officer of the station where he is on duty who shall thereupon issue to the person, ballot papers in the same manner as to any other elector. Such ballot papers shall be dealt with in the following manner -

(i) If the polling station at which the person is on duty relate to the division in which he is entitled to vote, then the provisions con tained in rules 21 and 22 shall apply The polling officer shall at the end of the poll send the certificate to the Commissioner along with the statementmentioned in rule 32.

(ii) If the polling station at which the person is on duty be not in the division in which he is entitled to vote, the polling officer shall issue the ballot paper or if there are two seats two ballot papers with instructions similar to those contained in sub-rule(2) of rule 21. The person shall proceed into the polling compartment and place the ballot paper or each of the ballot papers in an envelope bearing the colour assigned to the candidature or each of the candidates for whom he wishes to vote He shall then stick the envelope or envelopes and enclose the same in a cover and hand over the cover to the polling officer The polling officer shall make up into separate packets for each division the covers in which votes have been so recorde

the connected

the connected certificates being fastened to the cover, seal up such packet in the manner specified in rule 31 and forward the same to the Commissioner.

30.(1) Where the proceedingsat any polling station are seriously inter--rupted or obstructed by any riot or open violence or otherwise or where a large number of electors are unable to attend the poll at the polling station by reason of any act of God such as flood or fire, the polling officer shall stop the poll, pending the receipt of the orders of the Commissioner. The fact that the poll has been so stopped shall be immediately announced by the polling officer to the persons present at the polling station.

(2) Where a polling officer stops a poll under sub-rule (1) he shall observe the procedure laid down in rules 31 and 32 and forthwith make a full report of the circumstances to the Commissioner.

(3) The Commissioner shall thereupon order:-

(a) That the poll be continued at the polling station for the number of hours for which it was not held on the previous occasion, or

(b) that the proceedings at the poll held at the polling station on the previous occasion be ignored and that a fresh poll be held at suc polling station for the full number of hours for which it should have been held on the previous occasion.

Any order passed by the Commissioner under this sub-rule shall be final.

(4) Any order passed under sub-rule(3) shall:-

(a) state:-

(i) the date on which, and the hours between which the continuation poll or the fresh poll, as the case may be shall be held; and

(ii) the date on which and the place and hour at which the Commis--sioner will commence the counting of the votes under rule 33 and

(b) be published in the manner laid down in sub-rule (2) of rule 1 not less than seven days before the date fixed for the continuation poller for the fresh poll as the case may be.

5.(a) where an order is passed under clause (a) of sub-rule (3) for th continuation of the poll, the Commissioner shall proceed afresh under sub-rule (1) of rule 13 and return to the polling officer appointed unde

that sub-rule

that sub-rule, all the packets received by him under sub-rule(2) of this rule.

(b) The polling officer shall open the packets just before the commencement of the continuation poll in the presence of such persons as may be present at the polling station and commence such poll precisely at the hour fixed therefor in the order passed by the Commissioner under clause(a) of sub-rule (3)

(c) At the continuation poll, the polling officer shall allow only such electors to vote as did not vote on the previous occasion.

(6) Where an order is passed under clause (b) of sub-rule (3) for holding a fresh poll, the Commissioner shall proceed afresh under sub-rule (1) of rule 13 and fresh poll shall be held at the polling station concerned in accordance with the provisions of these rules in all respects as if it were being held at such polling station for the first time

Explanation -There shall be no fresh nominations in cases under this sub-rule.

(7) Notwithstanding anything contained in this rule, if a candidate dies at any time before the orders are passed by the Commissioner under sub-rule (3) or at any time after the passing of such orders but before the commencement of the continuation poll or of the fresh poll, as the case may be, the Commissioner shall, upon being satisfied of the fact of the death of the candidate, stop all further proceddings in connection with the election, and start election proceedings afresh in all respects as if for a new election by the division concerned;

Provided that no fresh nomination shall be necessary in the case of the remaining candidates who stood nominated at the time when the poll was stopped.

31.(1) The polling officer shall close the polling station at the hour appointed for closing under rule 1 or sub-rule (4) of rule 30 as the case may be so as to prevent the admission thereto of any elector after that hour and no ballot paper shall be issued thereafter.

(2) The polling officer of each polling station, as soon as practicable after the close of the poll, shall in the presence of any

candidate

candidate or polling agent who may be present make up into separate packets and seal with his own seal and seals of such candidates or agents as may decide to affix their seals -

(i) each ballot box in use at such station unopened but with the key (which should also be sealed in the same manner as the ballot box), attached,

(ii) the tendered ballot papers.

(iii) the unused ballot papers,

v) the spoilt ballot papers,

(v) the marked copy of the elected roll,

(vi) the counterfoils of the ballot papers,

(vii) the tendered votes lists,

(viii) the list of challenged votes with the statement or state-ments mentioned in sub-rules (2) and (5) of rule 27, and

(ix) the covers referred to in clause (ii) of sub-rule (2) of rule 29 and shall forward such packets to the Commissioner.

Each packets shall be numbered and shall bear a note as to its contents, the name of the polling station and the number of the division. Where no vote has been recorded at any polling station, th polling officer shall submit a nil report together with the statrent in form IX referred to in rule 32.

32. The packets shall be accompanied by a statement, in a separate cover. in Form IX made by the polling officer, showing the number of ballot papers entrusted to him. and accounting for them under the heads of ballot papers in the ballot boxes, unused, spoilt and tender ballot papers.

33(1) The counting of votes shall commence on the day and at the place and hour appointed in that behalf. Votes shall be counted by or underthe supervision of the Commissioner, and each candidate, the election agent of each candidate, and one representative of each can-didate authorised in writing by the candidate shall have a right to present at the time of counting. No other person shall be allowed to be presentexcept such persons as the Commissioner may appoint to assist him in counting votes and no person shall be appointed to assi in counting the votes. who has been employed by or on behalf of any candidate for any purpose whatsover connected with the election.

(2) The Commissioner shall, before he commence to count the votes, read the provisions of section 69 of the City of Bangalore Municipal Corporation Act, 1949, so such persons as may be present, and shall then proceed as follows -

(a) The ballot box or boxes relating to all polling stations i the ~~diff~~ division bearing the same serial number and colour and all enevelopes of the same colour as those boxes, enclosed in the covers which may have been received under rule 29 shall be opened one after another The ballot papers shall be taken out therefrom, and counte and the total number of votes secured by the candidate concerned recc -ed in a statement. He shall then proceed similarly with the boxes and envelopes of each colour which may have been prescribed in the division.

(b) The commissioner shall allow the candidates and their agen reasonable opportunities to inspect, without handling, all ballot papers which in his opinion are liable to be rejected. We shall endorse on every ballot paper which is rejected the word 'rejected'. If any candidate or agent present questions the correctness of the rejections, he shall also record on the ballot papers the grounds for the rejection.

(c) The Commissioner shall, as far as practicable, proceed continuously with the counting of the votes, and shall, during any necessary intervals during which the counting has to be suspended pla the ballot papers, packets and other documents relating to the electi under his own seal and the seals of such candidates or agents as may desire to affix them and shall cause adequate precautions to be taken for their custody.

34. (1) A ballot paper shall be rejected if it

(a) bears any mark ~~by~~ by which the elector can be identified,

(b) does not bear the official stamp prescribed in rule 20, or

(c) bears the mark belonging to a division different from that of the ballot ~~xxxxxxxxxxxxxxxxxxxx~~ box in which it is found,

Provided that a ballot paper dealt with under clause (ii) of sub-rule (2) of rule 29 shall not be rejected merely on the ground th it bears the mark of a division different from the one in which the elector is enttitled to vote:

Provided further that a ballot paper shall not be rejected under clause (b) if the Commissioner is satisfied beyond reasonable doubt that the ballot paper was one issued by the polling officer.

(2) If two ballot papers bearing the same serial number be found in a ballot box, they shall count only as one vote in favour of the candidate to whom that box is assigned.

(3) Except on the ground mentioned, in sub-rules (1) and (2), no ballot paper shall be rejected.

(4) The decision of the Commissioner as to the validity of a ballot paper shall be final, subject only to reversal on an election pe petition.

35.(1) After the Commissioner has completed the scrutiny and counting of votes, he shall prepare a statement of the results of the polling in Form X and shall, subject to the provisions of rule 39, declare that the candidate or candidates to whom most valid votes have been given, has or have been duly elected:

Provided that if a seat is reserved for a nu community or for women, the Commissioner shall first declare the candidate belonging to that community or who is a woman, as the case may be, to whom the largest number of votes have been given to be elected to such reserved seat.

(2) Any candidate or his agent shall, on application, be permitted to take a copy of an extract from the statement in Form X.

36.(1) The Commissioner shall not open the sealed packets containing tendered ballot papers, the marked copy of the electoral roll or the counterfoils of the ballot papers. He shall verify the statement submitted by the polling officer under rule 32 by comparing it with the number of accepted ballot papers and of rejected ballot papers and the unused ballot papers in his possession

(2) The Commissioner shall then make up into separate bundles in respect of each candidate:

(i) such of the ballot papers as have been accepted as valid;

and (ii) the remaining ballot papers which have been rejected as invalid.

He shall then make up both the bundles into one packet and seal

the packet

the packet with his own seal. He shall also enclose and reseal each of the other packets which were opened by him and record on each such packet a description of its ~~xxxxxx~~ contents.

DISPOSAL OF BALLOT PAPERS

37.(1) The commissioner shall, after declaring the results, ret in in his custody, the packets of ballot-papers, whether counted, rejected or tendered, and of the counterfoils thereof. These packets shall not be opened and their contents shall not be inspected or produced except under the orders of an election or other competent court.

(2) The Commissioner shall retain the packets and the marked copies of the electoral roll for a year and shall then, unless otherwise directed by the orders of an election or other competent court, cause ~~xf~~ them to be destroyed.

38 The name or names of the candidate or candidates duly elected shall be forwarded without delay by the Commissioner to the Superintendent, Government Press, for publication in the official Gazette and also be published on the notice board of the Municipal office.

39.(1) If any question arises as to the interpretation of these rules othe wise than in connection with an inquiry held under the rules for the decision of disputes as to the validity of an election the question shall be referred to the Government whose decision shall be final

(2) Pending the decision of the Government on any such reference made to them or the issue of final orders on any inquiry which the Government may institute upon receipt of information that an election is being or about to be held in contravention of the rules, it shall be lawful for the Government to direct the stay of the election proceeding at any stage thereof prior to the declaration of the results. Any election held or continued in contravention of the orders of the Government under this rule shall be void and of no effect whatsover

(3) Unless it is otherwise ordered by the Government. election proceedings stayed under this rule shall, on cancellation of the stay order, proceed from the stage at which they were staved on fresh dates to be fixed.

(4) If any difficulty arises as to the holding of any election under these rules, the Government may, by order, do anything not in-

inconsistent

inconsistent with these rules which appears to them necessary for the proper holding of the election. Every order passed under this sub-rule shall be laid before each of the chambers of the provincial Legislature at its next sitting.

ELECTIONS FOR LABOUR SEATS.

40. Rules 1 to 39 shall apply mutatis and mutandis to the conduct elections to fill the seats specially reserved for labour as if the words 'Labour electorate (were substituted for the word 'division' wherever it occurs in the said rules,

Provided that the amount of the deposit to be made by candidate not belonging to scheduled castes, shall be fifty rupees only

RULES APPLICABLE TO ELECTIONS TO BOTH THE DIVIDIONAL AND LABOUR SEATS

41. Notwithstanding anything contained in the foregoing rules, the Government may, for special reasons, empower the Commissioner to fix dates and periods other than those specified or fixed by or under these rules, for all or any of the stages of the election proceedings connected therewith.

42. - In these rules unless there is anything repugnant to the subject or context -

(a) "the Act" means the City of Bangalore Municipal Corporation Act, 1949.

(b) "Commissioner" means the Commissioner of the Corporation of Bangalore.

(c) "Government" means the Government of Mysore.

By Order,

GENERAL SECRETARY TO GOVERNMENT.

To

The Compiler, Mysore Gazette, for publication in the next issue of the Gazette and supply one hundred and fifty copies thereof of each to the Commissioner, Corporation of the City of Bangalore, and the Municipal Branch of the Secretariat.

knr)

F O R M.1
(See rule 2 (1))

CORPORATION OF BANGALORE.

Nomination paper

1 Name and number of the Division ---------- Labour electorate.

2. Full name of candidate.

3. Number of candidate in the electoral roll.

4. Father's, or husband's name

5. A g e

6 S e x

7 Community

8. Occupation and address

9 Full name of proposer,

10 Number of proposer in the electoral roll

11. Signature of the proposer.

12. Full name of the seconder

13. Number of the seconder in the electoral roll

14. Signature of the seconder.

Candidates declaration.

I declare that I am willing to stand for election.

Signature of the candidate.

Endorsement by the Commissioner or other authorised person.

Serial Number.

This nomination paper was presented to me by (person) at (date and hour)

Signature of the Commissioner or other authorised person.

INSTRUCTION.

Nomination papers which are not presented to the Commissioner or other authorized person before (hour) on the day-- day of 1950, shall hot be received.

FORM II.
(see rule 5.)

CORPORATION OF BANGALORE.

List of nomination received on (date) for

Division

Labour electorate.

1. Serial Number
2. Name of candidate
3 Fathers or Husband's name
4. Community
5. Occupation and address.

NOTE - The nomination papers will be taken up for scrutiny at A.M. / P.M.

on the day of at (place)

Commissioner or other authorized person

*instruction - Letter and brackets (S) shall be added after the name if the candidate is a woman

---

FORM III.
(See rule 10 (2))

List of valid nominations.

Corporation of Bangalore Division

Labour electorate

Sl. No.	Names of Candidates	Sex of candidates	Communities to which the candidate belong.	Address of the candidate.	Distinctive colours assigned to candidates.
1	2	3	4	5	6

NOTE - The poll will be taken and at the polling stations between already notified.

COMMISSIONER.

FORM IV.A.
(See Rule 20.)

Corporation of Bangalore ---------- Division
Labour electorate.

Serial
Number.

FORM VIV.
(See Rule 20)

Corporation of Bangalore---------- Division
Labour lectorate.

Serial
number.

FORM V.
(See rule 26)
Tendred Votes List.

Corporation Bangalore.

Division

Labour lectorate

Name and Number.	Division ---------- Labour electorate.	Name of elector	Number in electoral roll	Signature of elector or impression of elector if illiterate and address.
	2	3	4	5

FORM VI.
(See Rule 27.)

CORPORATION OF BANGALORE

Declaration of personation.

I (name) hereby declare and undertake to prove that the person described below has, by applying for a ballot paper at this polling station, committed the offence of personation.

Description of the person.

Name	Address	Signature or thumb impression.

Signature of candidate or agent.

Witnesses -

1. (name and address)
2. (name and address)

(Before me)
Signature of the polling officer

Division

Labour Electorate
Corporation of Bangalore.

FORM VII.
(See rule 27.)

List of Challenged Votes.

Corporation of Bangalore
Division.

Labour Electorate

Name of polling station.

Signature sheet No.

Number of elector on the elector roll	Name of elector	Signature of elector if literate or thumb impression of elector if illiterate.	Signature and address of identifier if ~~xx~~ any.

Orders of the polling officer (in each case)

Signature of the Polling Officer.

FORM.VIII.
(See rule 29)

CORPORATION OF BANGALORE.

Form of certificate entitling a person to vote outside polling area. -

Certified that entitled to vote at for

Division / Labour electorate has been employed in connection with the election for Division / Labour electorate and is prevented from voting at the said station and that I have therefore authorised him to vote

Station Sig/nature of the Commissioner.

Date.

FORM X.
(See rule 35)

Return showing results of the election for seats reserved for Division / Labour electorate of the Corporation of Bangalore.

Number	Name of candidate	Number of valid votes

Total number of valid votes,

Total number of invalid votes

I do hereby declare that the following candidate / candidates has / have been duly elected for division to the seat reserved for

to the seat reserved for*

to the general seat*

Commissioner.

*Not to be filled in the case of election to seats reserved for Labour

Secretary to Government

FORM.VIII.
(See rule 29)

CORPORATION OF BANGALORE.

Form of certificate entitling a person to vote outside polling area -

Certified that entitled to vote at for

Division / Labour electorate has been employed in connection with the election for Division / Labour electorate and is prevented from voting at the said station and that I have therefore authorised him to vote at ....

Station Signature of the Commissioner.

Date.

FORM X.
(See rule 35)

Return showing results of the election for seats reserved for Division / Labour electorate of the Corporation of Bangalore.

Number	Name of candidate	Number of valid votes

Total number of valid votes,

Total number of invalid votes

I do hereby declare that the following candidate / candidates has / have been duly elected for division to the seat reserved for

to the seat reserved for*

to the general seat*

Commissioner.

*Not to be filled in the case of election to seats reserved for Labour

Secretary to Government.

FORM IX.
(See rule 32.)

Statement of polling Officer at in the

Division

Labour electorate Corporatio n of Bangalore after the polling on

Division.

Labour electorate

1 Description.	2 Number received	3 Number of ballot paper in boxes	4 Number of ballot paper in packets Rule 29 (2) (ii)	5 Number of tendered ballot papers rule 26.	6 Number unused.	7 Number spoilt	8 Ballot papers dealt with under Rule 29(2) (i) ~~including~~ included under column (3)	9 R e m a r k s.

Ballot papers.

FORM IX.
(See rule 32.)

Statement of polling Officer at in the

Division

Labour electorate

Corporation of Bangalore after the polling on

Description.	Number received	Number of ballot paper in boxes	Number of ballot paper in packets Rule 29 (2) (ii)	Division. / Labour electorate / Number of tendered ballot papers rule 26.	Number unused.	Number spoilt	Ballot papers dealt with under Rule 29(2) (i) ~~including~~ included under column (3)	Remarks.
1	2	3	4	5	6	7	8	9

Ballot papers.

GOVERNMENT OF MYSORE

NOTIFICATION

No L 8038/e K 57-49-9 Dated 28 1 1950

Rules for election of divisional Councillors of the Corporation of Bangalore and of Councillors to fill seats specially reserved for Labour.

In exercise of the powers conferred by sub-section (1) o Section 68 of the City of Bangalore Municipal Corporation Act. 1949, (LXIX of 1949) the Government of Mysore are pleased to make the following rules regulating the procedure with regard to the election of the Divisional Councillors of the Corporation of Bangalore and of the Councillors to fill the seats specially reserved for labour.

RULES

Election of Divisional Councillors

1(1) Not less than one month before the date fixed for an election, the Commissioner. Corporation of Bangalore. shall forward for the approval of the Government a notice thereof stating -

(a) the number of persons to be elected,
(b) the divisions for which they are to be elected,
(c) the number of seats in each division for which elections are to be held, and if any seat is reserved, for whom it is reserved;
(d) the dates on which, the places at which and hours between which, nomination papers should be presented, an interval of at least twenty days being allowed between the date fixed for election and the earliest date for presentation of nomination papers;
(e) the person by whom the nomination papers will be received,
(f) the dates on which the nomination papers will be taken up for scrutiny,
(g) the day on which, and the place or places where, the votes of the electors will be taken should there be a poll; and the hours during which the poll will be open, not being less than ten hours between 7 a.m. and 6 p.m. and
(h) the day on which, and the place and hour at which, the Commissioner will commence the counting of the votes

(2) The Commissioner shall cause the notice as approved by the Government to be published in the Mysore Gazette and in two or more of the local daily newspapers and copies thereof shall be affixed in not less than three conspicuous places in each division for which the election is to be held.

NOMINATION OF CANDIDATES

2.(1) The nomination of every candidates shall be made by means of a nomination paper in form I, which shall, on application, be supplied

free of cost by the Commissioner to any elector whose names is on the electoral roll for the division.

(2) Every nomination paper shall be signed by two such electors as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for election.

(3) The same elector may sign as many nomination papers as there are vacancies to be filled but no more. Each candidate shall be nominated by a separate nomination paper.

(4) Every nomination paper shall be presented by the candidate in person or by his proposer and seconder together on any of the dates at the place and during the hours appointed, to the Commissioner or to such other persons as may be authorised by him in this behalf. The Commissioner or such other authorised person shall forthwith number the nomination papers serially in the order in which they are presented and enter on each nomination paper the time at which it is presented.

(5) Where a person has signed whether as proposer or seconder a larger number of nomination papers than there are vacancies to be filled those of the papers so signed which have been first received upto the number of vacancies to be filled, shall be deemed to be valid.

(6) The rejection of a nomination paper of any candidate on the ground of any irregularity in respect thereof shall not effect the validity of the nomination of the candidate, if the candidate has been duly nominated by means of another nomination in respect of which no irregularity has been committed.

(7) No nomination paper shall be received after the appointed time on the last of the dates appointed for the presentation of nomination papers.

On the presentation of a nomination paper, the Commissioner or other authorised person referred to in rule 2(4) may require the person or persons presenting the same to produce a copy of the electora roll on which the candidate and his proposer and seconder are registered or of the necessary entries therein and shall satisfy himself that the same and number of candidate and his proposer and seconder as entered in the nomination paper are the same as those entered in the electoral roll Where necessary, he shall direct that the former be amended so as to be in accordance with the latter.

3. The Commissioner may interpret any entry in the electoral roll as to overlook merely clerical or printing errors, but he shall record the interpretation adopted by him together with the reasons therefor.

4(1) At or before the time of presentation of his nomination paper or papers, each candidate wishing to stand for election shall deposit or cause to be deposited with the Commissioner in cash or in Government Promissory notes of equal value at the market rate of the day, a sum of twenty-five rupees, if he is a member of the Scheduled Castes or a

a sum of one Hundred rupees, if he is not a member of such castes and no candidate shall be deemed to be duly nominated for any division in respect of which such deposit has not been made. A separate deposit shall be required in respect of each division for which the candidate wishes to stand.

EXPLANTION: The delivery to the Commissioner of a receipt from the Government Treasury or Bank wherein the Council has an account, evidencing the payment by or on bahelf of a candidate to the credit of the Corporation of Bangalore of the amount required to be deposite under this sub-rule shall be deemed to be a deposit of such amount within the meaning of this sub-rule made by or on behalf of such candidate at the time of such delivery

(2) If no nomination paper is received within the time appointed in that behalf in respect of any person by whom or on whose behalf, the deposit referred to in sub-rule (1) has been made, or if the nominatic or any such person is rejected, or if he withdraws his candidature in the manner and within the time specified in rule 8(1) the deposit shal be returned to the person by whom it was made; and any candidate dies before the commencement of the poll, any such deposit, if made by him, shall be retunned to his legal representatives or if not made by the candidate, shall by returned to the person by whom it was made.

(3) If an candidate by whom or on whose behalf, the deposit referred to in sub-rule (1) has been made withdraws his candidature under rule 8(2) or if he is not elected and the number of votes polled by him does not exceed one-eighth of the total number of votes polled, divided by the number of members to be elected, the deposit shall be forfeited to the Corporation of Bangalore.

(4) For the purpose of sub-rule (3), the number of votes polled shall be deemed to be the number of ballot papers, other than spoilt ballot papers, counted.

(5) The deposit made in respect of a candidate who is not elected shall, if it is not forfeited under ~~rul~~ sub-rule (3), be returned to the candidate or to the person who has made the deposit on his behalf as the case may be, as soon as may be, after the publication of the result of the election in the Official Gazette, and the deposit made in respect of a candidate who is elected shall be so returned as soon as may be after the candidate has taken his seat in the Council or in pursuance of a direction by the Government for the return of the depo despite the fact that the seat has been so taken by the candidate.

(6) Not-withstanding anything contained in sub-rules (2) and (5) where deposits have been made by or on behalf of a candidate in respect of two or more divisions, not more than one of the deposits shall be returned and the remainder shall be forfeited to the Corporation of Bangalore.

(7) A deposit required to be returned to any person under sub-rule (2) or sub-rule (5) shall if such person is dead, be returned to his legal representative.

(8) Notwithstanding anything contained in this rule, a deposit made under sub-rule (1) shall not be returned, unless a claim therefor is delivered or sent by post to the Commissioner by the person who made the deposit or by his legal representative, as the case may be, within six months of the date of the declaration by the Commissioner of the results of the election or where such declaration is made on two diffefent dates, within six months of the later of such dates.

5. The Commissioner or other authorised person referred to in sub-rule (4) of rule 2, shall at least fifteen days before the date fixed for the election, publish in the Municipal Office and in three conspicuous places in the division for which an election is to be held and by an advertisement in two or more of the local daily newspapers, a list in Form II of all nominations received, with a notice that the nomination papers will be taken up by the Commissioner for scrutiny at the Corporation office or other specified place on the dates appointed under rule

SCRUTINY OF NOMINATION PAPERS

6(1) The Commissioner shall attend to the Corporation office on two consecutive working days next after the last day upon which the list of candidates nominated has been published, in order to scrutinise the nomination papers and to hear any objections which may be made to any nomination. Such objections may relate not only to the form of nomination but also to violation and non-observance of all or any of the provisions of the Act or rules thereunder relating to such nomination and may include objections concerning the eligibility of the candidates to stand for elections or of the nominators to nominate Any elector of the division may file a written statement

raising any such objection The Commissioner may either on such objection or on his own motion, after such summary enquiry, if any, as he thinks necessary, reject any nomination on any of the followi grounds:

(i) That the candidate is ineligible for election under the law for the time being in force.

(ii) That the proposer or seconder is a person whose name is not registered on the electoral roll

iii) That there has been any failure on the part of the candidat or his proposer or seconder to comply with the provisions of rule 2 or rule 4,

(iv) that in case, the election is solely for a seat reserved for any community or person, the candidate does not belong to that community or is not a woman, as the case may be

Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or seconder or of any other particulars relating to the candidate or his proposer or seconder as entered inthe electoral roll, if the identity of the candidate, proposer or seconder, as the case may be, is established beyond reasonable doubt.

(2) The Commissioner shall endorse on each nomination paper, his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection. The scrutiny shall be completed on or before the last of the days notified in this behalf under rule 1 and no adjournment of the proceedings shall be allowed.

(3) The decision of the Commissioner on any such objection as aforesaid shall be final for the purposes of the election, unless within one week of the date on which the decision has been given, a petition for the revision of the decision be filed before the District Judge, Bangalore Division, in such a case, the decision of the said Judge shall, subject to the provisions of sub-rule (4), be final. In case the objection is allowed, the decision of the Commissioner or the said District Judge or of the High Court as the case may be, shall be communicated to all the candidates affected thereby.

(4) An appeal shall ~~be~~ lie to the High Court from the decision of the District Judge under sub-rule (3), if the said District Judge certifies that the appeal involves a point of law.

7. (1) In case a revision petition has been filed under rule 6 and the decision of the said District Judge has for any reason not ~~been~~ been given more than three days before the date fixed for the

raising any such objection The Commissioner may either on such objection or on his own motion. after such summary enquiry. if any, as he thinks necessary, reject any nomination on any of the followir grounds:-

(i) That the candidate is ineligible for election under the law for the time being in force.

ii) That the proposer or seconder is a person whose name is not registered on the electoral roll,

ii) That there has been any failure on the part of the candida or his proposer or seconder to comply with the provisions of rule 2 or rule 4.

that in case, the election is solely for a seat reserved for any community or person, the candidate does not belong to that community or is not a woman, as the case may be

Provided that the nomination of a candidate shall not be rejecte merely on the ground of an incorrect description of his name or of the name of his proposer or seconder or of any other particulars relating to the candidate or his proposer or seconder as entered inthe electoral roll, if the identity of the candidate, proposer or seconder, as the case may be, is established beyond reasonable doubt.

(2) The Commissioner shall endorse on each nomination paper, his decision accepting or rejecting the same and, if the nomination pape is rejected, shall record in writing a brief statement of his reason for such rejection. The scrutiny shall be completed on or before th last of the days notified in this behalf under rule 1 and no adjournment of the proceedings shall be allowed.

(3) The decision of the Commissioner on any such objection as aforesaid shall be final for the purposes of the election, unless within one week of the date on which the decision has been given, a petition for the revision of the decision be filed before the Distric Judge, Bangalore Division, in such a case, the decision of the said Judge shall, subject to the provisions of sub-rule (4), be final. Ir case the objection is allowed, the decision of the Commissioner or th said District Judge or of the High Court as the case may be, shall be communicated to all the candidates affected thereby.

(4) An appeal shall lie to the High Court from the decision of the District Judge under sub-rule (3), if the said District Judge certifies that the appeal involves a point of law.

7. (1) In case a revision petition has been filed under rule 6 and the decision of the said District Judge has for any reason not been given more than three days before the date fixed for the

election under rule 1. the Commissioner shall stop further proceedings in regard to the holding of the election and shall report the matter to the Government. who shall fix. by notification in the official Gazette. a fresh date for the election in respect of which such nomination was made, and copies of such ~~nomination~~ notificatio shall be posted in not less than three conspicuous places in the division. The procedure prescribed by rules 2 to 6 shall. whatever be the decision of the Commissioner or the District Judge or the High Court. be repeated for such fresh election, unless the Governm shall, by a special order. otherwise direct

(2) The Government may fix a fresh date for the election not only in the contingency referred to in sub-rule (1) but whenever the deem fit to do so and they may exercise this power not only once but as often as may be necessary.

8.(1) Any candidate may withdraw ~~his~~ his candidature by notice in writing signed by him and delivered to the Commissioner at any time after the presentation of his nomination paper or papers and not later than 3 o'clock in the afternoon of the day succeeding the las of the days appointed for the scrutiny of nominations Unless the notice is delivered by the candidate himself to the Commissioner, th candidate's signature on the notice shall be attested by a person empowered to attest vakalats.

(2) In cases where a poll is found to be necessary, a candidate may also withdraw his candidature by notice in writing signed by the candidate and delivered by him personally to the Commissioner after the latest hour for withdrawal referred to in sub-rule (1) but at least seven clear dates before the date appointed for the poll

A withdrawal under this sub-rule may be made not later than 5 o clock in the afternoon of the last day for such withdrawal

Explanation: Withdrawal under this sub-rule shall entail forfeiture of the deposit made by or on behalf of the candidate

(3) The Commissioner on receiving a notice of withdrawal under sub-rule (1) or sub-rule (2) shall, as soon as may be, cause a notic of the withdrawal to be published on the notice board of the Corpora tion office, and where the withdrawal, to all other candidates of th division who have not withdrawn their candidatures.

(4) A candidate who has withdrawn his candidature under sub-rule(or sub-rule (2) shall not be allowed to cancel the withdrawal or to be re-nominated as a candidate for the same election

9. The following provisions shall apply in respect of candidate whose nominations have not been rejetted and who have not withdrawan their candidature:-

Case I - Where the election is held for filling up only a general seat or a reserved seat in a division -

(a) if there is only one candidate, the Commissioner shall declare such candidate to be duly elected to such general or reserved seat

(b) if there are two or more candidates, the Commissioner shall arrange for a poll to be taken, and

(c) if there is no candidate, the seat shall be filled up in accordance with the provisions of section 62 of the Ac

Case II - Where the election is held for filling up both the general and reserved seats in a devision

(a) if there is only one candidate, and

(i) if such candidate is eligible for the reserved seat, the Commissioner shall declare him duly elected to the reserved seat,

(ii) such candidate is not so eligible for the reserved seat the Commissioner shall declare him to be duly elected to the general seat, and

(iii) the other seat shall be filled up in accordance with the provisions of Section 62 of the Act

(b) if there are only two candidates, and

(i) if both of them are eligible for the reserved seat, the Commissioner shall by drawing lots declare one of them to be dule elected to the reserved seat and the other candidate to the general se

(ii) if only one of them is eligible for the reserved seat, the Commissioner shall declare such candidate to be duly elected to the reserved seat and the other candidate to the general seat, and

(iii) if neither of them is eligible for the reserved seat, the Commissioner shall arrange for a poll to be taken to fill up the general seat, and the reserved seat shall be filled up in accordance with the provisions of Section 62 of the Act, and

(c) If there are more than two candidates; and

(i) if two or more of them are eligible for the reserved seat, the Commissioner shall arrange for a poll to be taken to fill up both the seats

(ii) if only one of them is eligible for the reserved seat, the Commissioner shall declare such candidate to be dule elected to the reserved seat, and shall arrange for a poll to be taken to fill up the general seat, and

(iii) if no such candidate is eligible for the reserved seat, the Commissioner shall arrange for a poll to be taken to fill up the gener seat and the reserved seat shall be filled up in accordance with the provisions of section 62 of the Act.

Explanation In this rule, "candidate" means a candidate who has been duly nominated and has not withdrawn his candidature in the manner and within the time specified in sub-rule (2) of rule 5.

A candidate shall be deemed to be eligible to a reserved seat if such candidate belongs to the community or is a woman according as the seat is reserved under section 48(2)(a) of the Act for that community or for woman

10 1. If a poll is found to be necessary, the Commissioner shall assign to each candidate subject to such directions as may be issued by the Government in that behalf, one of the following colours, namely red, green, blue and yellow, or where the number of candidates exceeds four the colours aforesaid and in addition thereto purple and such other distinctive colours (except black) as the Commissioner may determine.

2. Three days before the date fixed for election under rule 1 or rule 7, the Commissioner shall prepare a list in Form III of persons whose nominations have not been rejected and who have not withdrawn their candidature and publish it on the notice board of the Corporation office and in two conspicuous places in the division for which the election is to be held and by advertisement in two or more local daily newspapers.

3. The list shall contain the names of the candidates in the order of the English alphabet and shall describe them as in their nomination papers and, if a poll is found to be necessary, shall al

(c) if there are more than two candidates, and -

(i) if two or more of them are eligible for the reserved seat, the Commissioner shall arrange for a poll to be taken to fill up both the seats;

(ii) if only one of them is eligible for the reserved seat, the Commissioner shall declare such candidate to be dule elected to the reserved seat, and shall arrange for a poll to be taken to fill up the general seat, and

(iii) if no such candidate is eligible for the reserved seat, the Commissioner shall arrange for a poll to be taken to fill up the general seat and the reserved seat shall be filled up in accordance with the provisions of section 62 of the Act.

Explanation - In this rule, "candidate" means a candidate who has been duly nominated and has not withdrawn his candidature in the manner and within the time specified in sub-rule (2) of rule 8.

A candidate shall be deemed to be eligible to a reserved seat if such candidate belongs to the community or is a woman according as the seat is reserved under section 48(2)(a) of the Act for that community or for woman

10 1 If a poll is found to be necessary, the Commissioner shall assign to each candidate subject to such directions as may be issued by the Government in that behalf, one of the following colours, namely, red, green, blue and yellow, or where the number of candidates exceeds four the colours aforesaid and in addition thereto purple and such other distinctive colours (except black) as the Commissioner may determine.

2 Three days before the date fixed for election under rule 1 or rule 7, the Commissioner shall prepare a list in Form III of persons whose nominations have not been rejected and who have not withdrawn their candidature and publish it on the notice board of the Corporation office and in two conspicuous places in the division for which the election is to be held and by advertisement in two or more local daily newspapers.

3 The list shall contain the names of the candidates in the order of the English alphabet and shall describe them as in their nomination papers and, if a poll is found to be necessary, shall also

specify the distinctive colours assigned to them under sub-rule (1)

11 If after the scrutiny of nominations has been complted and before the poll is taken, a candidate whose name appears in the list of valid nominations published under rule 10 becomes ineligible for election under clause (f) of sub-section (2) of section 86 of the Act the Commissioner shall upon being satisfied as the existence of such ineligibility, reject the nomination of the candidate and the provisions of rule 9 or section 62 of the Act, as the case may be shall apply

Provided that nothing contained in this rule shall apply, if the candidate has already been declared duly elected under rule 9.

12. If after the taking of a poll has become necessary and before the poll is taken, a candidate who has been duly nominated die the Commissioner upon being satisfied of the fact of the death of the candidate countermand the poll, and election proceedings shall be started afresh in all respects as if for a new election

Provided that no fresh nomination shall be necessary in the cas of the candidate or candidates, who stood nominated at the time of th countermanding of the poll

13 1. If a poll has to be taken, the Commissioner shall appoint forthwith one or more polling officers for each polling station and such other persons to assist polling officers as he thinks necessary and may pay them reasonable remuneration for their services The Commissioner shall provide for each polling officer such number of clerks as may be necessary and may also if necessary, appoint one or more identifying officers to assist the polling officer in indentifying the electors Polling Officers shall neither be Councillors for the divisions for which the poll is to be taken nor registered electors therein.

2 The Polling Officer shall keep order at the polling statio shall see that the election is fairly conducted and that votes are recorded with absolute secrecy, shall regulate the number of electors to be admitted at one time, and shall exclude all other persons except

i 1 The candidates, and at each booth, one agent of each candidat at a time (hereinafter referred to as the polling agent) appointed in writing by the candidate and approved by the Commissioner or by

by the person authorised by the Commissioner in this behalf,

B The police or other public servants on duty, and

C His own clerks and such persons as the polling officer may from time to time admit for the purpose of identifying electors

2 Where a woman elector cannot be identified by the indentification officers appointed under sub-rule (1) by reason of her observin purdah", she may be required to be indentified by any of her near relatives, unless she otherwise satisfies the polling officer of her identity

If any question arises as to whether a person is or is not a rear relative within the meaning of this sub-rule, it shall be decided by the polling officer and his decision shall be final

14. Each polling ~~offrcex~~ station, and at a polling station having more than one polling booth, each such booth shall contain a separate compartment in which electors can record their votes screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in boxes As far as possible separate compartments and separate entrances and exits shall where action is not taken under rule 15, be provided for women electors.

15 Notwithstanding anything hereinbefore contained the Commissioner may, at his discretion if women in sufficient number suitable and willing to actas polling officers are available, provide a separate polling station for taking the votes of the women electors for any polling area ~~fx~~ or make such other arrangements as may be necessary to ensure the privacy of such electors. In such cases, only women shall be appointed ~~to~~ act as polling officers in respect of the votes of the women electors concerned. Except the police or other public servants on duty, no candidate, agent of a candidate or other person who is not a woman shall be admitted into or be present at such polling station or the place where the votes of such women elector are taken, as the case may be

16. 1 The Commissioner shall provide in each polling compartment at each polling station, as many ballot boxes as there are candidates the box of each candidate bearing the serial number and the distinctive colour or colours assigned to him He shall also provide a sufficient number of envelopes bearing the distinctivecolours assigne

to the candidates and such other colours as may be necessary to gi effect to clause (ii) of sub-rule (2) of rule 29 together with the necessary outer covers, copies of the electoral roll or such part thereof as contains the names of the electors entitled to vote at the station, and such other papers, stationery and forms as may be necessary He shall further provide a board on which is displayed in bold and clear print the name of each candidate in English and in such other languages current in the division, as the Commissioner mat think fit, the serial number and the colour or colours assigned to him and the number of vacancies for which the election is held

2. Every ballot box shall be so constructed that ballot papers can be introduced therein but cannot be withdrawn therefrom, without the box being unlocked

17 A notice shall be put up at the entrance to the polling station giving the numbers and names of the candidates as published in Form III There shall be given against the name of each candidate both a description and a sample of the distinguishing colour directed to be used on the ballot box assigned to the candidate

18 Each polling officer shall be supplied by the Commissioner with a list of electors for the division for which such polling office is appointed. The ballot papers and ballot boxes shall be delivered to the polling officer by the Commissioner or other person authorised by him, sufficiently early before the hour fixed for the starting of the poll.

19 (1) The polling officer at any polling station, immediately before the commencement of the poll, shall show each of the ballot boxes empty to such persons as may be present at such station, so that they may see that it is empty, and shall then lock it up, and place his seal upon it He shall thereupon place the box so locked and sealed, inside the polling compartment for the receipt of ballot paper but screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in it

The ballot boxes shall be arranged from left to right in the place set apart for the purpose and in the order in which the names are published in Form III

(2) Before the polling station is opened for the recording of

of votes, the polling ~~affrancstrtxan~~ officer shall read to such persons as may be present the provisions of section 69 of the City of Bangalore Municipal Corporation Act and shall explain the substanc thereof in the language of languages current in the division.

20 Ballot papers shall be in Form IV and shall have counterfoils attached to them which shall be in Form IV-A. They shall be serially numbered both on the foil and on the counterfoil. On every ballot paper, such mark as may be directed by the Commissioner shall be stamped across the perforation between the ballot paper and the counterfoil in such a manner that the mark falls partly on the ballot paper and partly on the counterfoil where the poll is taken for two seats, every one of the serial numbers, shall be printed on two consecutive ballot papers, the first of such ballot papers shall bear the number alone and the remaining ballot paper shall bear the number wit a capital letter of the English alphabet added after it in order

Illustration If there are two seats for which a poll is taken the serial numbering shall be 1 and 1-A, 2 and 2-A, 3 and 3-A, and so on.

21 (1) At an election for a division in which not more than one seat has to be filled, an elector shall be given only one ballot pape which shall be placed in the ballot box bearing the serial number and the colour assigned to the candidate for whom he desires to vote

(2) At an election for a division in which two seats have to be filled, the elector shall be given two ballot papers and the polli officer shall explain to the elector--

(i) the number of candidates for whom he may vote,

(ii) that he may place one ballot paper in the ballot box of each of the candidates for whom he wishes to vote,

(iii) that he should not place both the ballot papers in the same ballot box, and

(iv) that where elector wishes to vote for only one candidate and does not wish to exercise his second vote, he shall return the surplus ballot paper to the polling officer

(3) The surplus ballot paper referred to in clause (iv) of sub-rule (2), together with the corresponding counterfoil, shall be marked as cancelled

(4) Immediately before any ballot paper or papers delivered to an elector, the number, name and description of the elector as stated in the electoral roll, shall be called out He shall then detach the ballot paper or papers from the counterfoil and deliver it to the elector and shall place a mark on a copy of the electoral roll against the number of the elector to denote that he has received the ballot paper or papers but with no indication of the number of ballot paper or papers which he has received

22 The elector on receiving the ballot paper or papers shall forthwith proceed into the polling compartment and there place the ballot paper or papers in the ballot box or boxes, according to his choice Every elector shall vote without undue delay and shall not enter the polling station as soon as he has voted. He shall not do any thing except xx a ballot paper in any box or boxes not entitled papers found in any box shall be forfeited in the same manner as any

23 (1) If the polling officer is satisfied that an elector incapacitated by blindness from voting in the manner laid down "Tendered" in bol rule 22, the polling officer shall ascertain from the elector ballot which candidate or candidates he wishes to vote and shall in the presence of any candidates or polling agents who may be present the ballot paper or papers in the box or each of the boxes, the serial number or numbers and the colour or colours, assigned candidate or each of the candidates for whom he wishes to vote the elector wishes to vote for only one candidate, and does not to exercise his second vote, the surplus ballot paper together its corresponding counterfoils shall be marked as "cancelled"

(2) In the case of every elector whose ballot paper or p are dealt with in the manner laid down in sub-rule (1), a note be made on the counterfoil by the polling officer, of the reaso the paper or papers were so dealt with

24 Special facilities in accordance with the instructio if any, issued by the Commissioner in that behalf, may be accor women electors.

25 When a person presents himself to vote and at any time before a ballot paper is supplied to him, the polling officer may of his own accord and shall, if so required by a candidate or polling

agent, put to such person either or both of the following questions

(i) are you the person enrolled as follows (reading the whole ent from roll

(ii) Have you already voted at the present election in this polli station or in any other polling station.

And the person shall not be supplied with a ballot paper, unle he gives an unqualified answer to the question or questions, put to him and unless his answer to the first question is in the affirmati and the second in the negative Except as mentioned herein, and subject to the provisions of section 54 of the Act, every person whose name is found on the electoral roll shall be entitled to be supplied with a ballot paper.

26 If a person representing himself to be a particular elector named on the electoral roll applies for a ballot paper after another person has voted as such elector, the applicant shall, after duly answering such questions as the polling officer may ask, be entitled to receive a ballot paper or ballot papers in the same manner as any other elector

The polling officer shall write the word "Tendered" in bold characters on the face of the ballot paper or each of the ballot papers before, it is handed over to such person On receipt of such ballot paper or papers (hereinafter referred to as tendered ballot papers) the elector shall proceed into the polling compartment and there place the ballot paper or each of the ballot papers in an envelope bearing the colour assigned to the candidate or each of the candidates for whom the applicant wishes to vote. He shall then stick the envelope or envelopes and enclose the name in a cover and hand it over to the polling officer The polling officer shall make an endorsement containing the name of the elector and his number on the electoral roll and the number of the division for which the election is held and shall set aside the cover in a separate packet, the ballot papers in which shall not be counted by the Commissioner The name of the elector and his number in the electoral roll and the name or distinctive number of the polling station to which the roll relates shall be entered in a list in Form V which shall bear the

the heading "Tendered votes list" The person tendering such ballot paper or papers shall sign his name and address on that list or affix his thumb-impression there

Explantion In cases falling under this rule to which rule 27 is also applicable, the provisions of this rule as well as of rule 27 shall be followed

27 (1) If any candidate or polling agent declares and undertakes to prove that any person by applying for a ballot paper has committed the offence of personation the polling officer shall call upon the candidate or agent bringing forward the charge of personation to deposit with him a sum of five rupees in cash A separate deposit shall be required for proceeding with each charge of personation If such deposit is not made, the polling officer shall ignore the challenge

(2) Immediately the deposit required by sub-rule (1) has been made, the polling officer shall obtain a written statement in Form VI which shall be signed by the candidate or agent, as the case may be, and attested by two creditable witnesses, in the present of the pollin officer

(3) The polling officer shall then require the applicant for the ballot paper to enter in the list of challenged votes (which shall be in Form VII) his name and address or, if he is unable to write, to affix, his thumb-impression thereto and may further require such person to produce evidence of identification

(4) If the applicant for the ballot paper on being questioned in the manner provided in rule 25 gives unqualified answers to the first question in the affirmative and to the second in the negative, he shall be allowed to vote after he has been informed of the penalty for personatic The polling officer shall make a note of the circumst ances and of his decision on the list of challenged vote

(5) The polling officer shall, at the close of the poll forward to the Commissioner the statements mentioned in sub-rule(2) enclosed in the packet containing the list of challenged votes.

(6) The Commissioner shall immediately institute such inquiries as may be necessary and shall take steps to prosecute the persons whom he believes to be guilty of the offence of personation after obtaining the previous sanction, required by section 196 of the Code of Criminal procedure, 1895, such sanction being obtained from the Commissioner of Police. If it is found as a result of the judicial trial that the offence of personation has not been proved, the Commissioner of ~~Rakiss~~ of the Corporation shall decide whether the whole or part of the depos: shall be declared forfeit to the Corporation. In coming to a decision on this point the Commissioner shall be guided by the facts and conclusions recorded at the trial. If there is no judicial trial, the Commissioner shall, in his discretion, decide whether having regard to the relevent circumstances, the whole or part of the deposit shall be declared forfeit to the Corporation The deposit or such portion thereof as has not been declared forfeit, shall be returned to the person who made the deposit.

(7) A challenge once made shall not be permitted to be withdrawn except with the forfeiture of the deposit and except after the election under the orders of the Commissioner.

28. An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot be conveniently used as a ballot paper may, on delivering it to the polling officer and satisfying him of the inadvertence, obtain another ballot paper in place of the spoilt one, the latter one together with its counterfoil being marked as cancelled. where such an elector has orginally received more than one ballot paper he shall not be given fresh ballot paper, unless he delivers to the polling officer all the ballot papers he had originally received which shall, together with their counterfoils, be marked as 'cancelled'

29.(1) A public servant or polling agent who being entitled to vote in the division is duly appointed or authorised for duty at a polling station at which he is not ordinarily entitled to record his vote at the polling station where he is employed The said certificate shall be in form VIII

(5) The polling officer shall, at the close of the poll forward to the Commissioner the statements mentioned in sub-rule(2) enclosed in the packet containing the list of challenged votes.

(6) The Commissioner shall immediately institute such inquiries as may be necessary and shall take steps to prosecute the persons whom he believes to be guilty of the offence of personation after obtaining the previous sanction, required by section 196 of the Code of Criminal procedure, 1895, such sanction being obtained from the Commissioner of Police If it is found as a result of the judicial trial that the offence of personation has not been proved, the Commissioner of ~~Rakkas~~ of the Corporation shall decide whether the whole or part of the deposi shall be declared forfeit to the Corporation. In coming to a decision on this point the Commissioner shall be guided by the facts and conclusions recorded at the trial. If there is no judicial trial, the Commissioner shall, in his discretion, decide whether having regard to the relevent circumstances, the whole or part of the deposit shall be declared forfeit to the Corporation The deposit or such portion thereof as has not been declared forfeit, shall be returned to the person who made the deposit.

(7) A challenge once made shall not be permitted to be withdrawn except with the forfeiture of the deposit and except after the election under the orders of the Commissioner.

28. An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot be conveniently used as a ballot paper may, on delivering it to the polling officer and satisfying him of the inadvertence, obtain another ballot paper in place of the spoilt one, the latter one together with its counterfoil being marked as cancelled where such an elector has orginally received more than one ballot paper he shall not be given fresh ballot paper, unless he delivers to the polling officer all the ballot papers he had originally received which shall, together with their counterfoils, be marked as 'cancelled'.

29.(1) A public servant or polling agent who being entitled to vote in the division is duly appointed or authorised for duty at a polling station at which he is not ordinarily entitled to record his vote at the polling station where he is employed. The said certificate shall be in form VIII.

If a polling officer, public servant or polling agent is on dut at a polling station not relating to the division in which he is entit to record his vote, the Commissioner shall in addition to the certific mentioned above, furnish the polling officer concerned with particular regarding the number of votes which an elector is entitled to give and the names of and serial numbers and colours assigned to the candidate standing for election in that division together with a ballot paper or ballot papers relating to such division and envelope in each of the colours assigned to such candidates.

The Commissioner shall in either case, immediately send a copy of the certificate to the polling officer of the polling station at which the person to whom the certificate is issued is ordinarily entitl to record his vote.

(2) A person in possession of a certificate in the form prescribed i sub-rule (1) shall deliver the certificate to the polling officer of th station where he is on duty who shall thereupon issue to the person, ballot papers in the same manner as to any other elector. Such ballo papers shall be dealt with in the following manner:-

(1) If the polling station at which the person is on duty relat to the division in which he is entitled to vote, then the provisions co tained in rules 21 and 22 shall apply The polling officer shall at t end of the poll send the certificate to the Commissioner along with the statementmentioned in rule 32.

(ii) If the polling station at which the person is on duty be not in the division in which he is entitled to vote, the polling office shall issue the ballot paper or if there are two seats two ballot papers with instructions similar to those contained in sub-rule(2) of rule 21 The person shall proceed into the polling compartment and place the ballot paper or each of the ballot papers in an envelope bear ing the colour assigned to the candidature or each of the candidates for whom he wishes to vote. He shall then stick the envelope or envelopes and enclose the same in a cover and hand over the cover to the polling officer. The polling officer shall make up into separate packets for each division the covers in which votes have been so recor

the connected

the connected certificates being fastened to the cover, seal up such packet in the manner specified in rule 31 and forward the same to the Commissioner.

30.(1) Where the presceedingsat any polling station are seriously interrupted or obstructed by any riot or open violence or otherwise or where a large number of electors are unable to attend the poll at the polling station by reason of any act of God such as flood or fire, the polling officer shall stop the poll, pending the receipt of the orders of the Commissioner. The fact that the poll has been so stopped shall be immediately announced by the polling officer to the persons present at the polling station.

(2) Where a polling officer stops a poll under sub-rule (1) he shall observe the procedure laid down in rules 31 and 32 and forthwith make a full report of the circumstances to the Commissioner.

(3) The Commissioner shall thereupon order

(a) that the poll be continued at the polling station for the number of hours for which it was not held on the previous occasion, or

(b) that the proceedings at the poll held at the polling station on the previous occasion be ignored and that a fresh poll be held at such polling station for the full number of hours for which it should have been held on the previous occasion

Any order passed by the Commissioner under this sub-rule shall be final

(4) Any order passed under sub-rule(3) shall:-

(a) state

(i) the date on which, and the hours between which the continuation poll or the fresh poll, as the case may be shall be held, and

(ii) the date on which and the place and hour at which the Commis--sioner will commence the counting of the votes under rule 33 and

(b) be published in the manner laid down in sub-rule (2) of rule 1 not less than seven days before the date fixed for the continuation poller for the fresh poll as the case may be.

5.(a) Where an order is passed under clause (a) of sub-rule (3) for the continuation of the poll, the Commissioner shall proceed afresh under sub-rule (1) of rule 13 and return to the polling officer appointed under

that sub-rule

that sub-rule, all the packets received by him under sub-rule(2) of this rule.

(b) The polling officer shall open the packets just before th commencementof the continuation poll inthe presence of such persons may be present at the polling station and com ence such poll precise at the hour fixed therefor in the order passed by the Commissioner u clause(a) of sub-rule (3)

(c) At the continuation poll, the polling officer shall allow only such electors to vote as did not vote an the previous occasio

(6) Where an order is passed under clause (b) of sub-rule (3) for holding a fresh poll, the Commissioner shall proceed afresh unde sub-rule (1) of rule 13 and fresh poll shall be held at the polling station concerned in accordance with the provisions of these rules i all respects as if it were being held at such polling stationfor the first time.

Explanation -There shall be no fresh nominations in cases und this sub-rule.

(7) Notwithstanding anything contained in this rule, if a candidate dies at any time before the orders are passed by the Commi -sioner under sub-rule (3) or at any time after the passing of such orders but before the commencement of the continuation poll or of th fresh poll, as the case may be, the Commissioner shall, upon being satisfied of the fact of the death of the candidate, stop all furthe proceedings in connection with the election, and start election proc ings afresh in all respects as if for a new election by the division concerned;

Provided that no fresh nomination shall be necessary in the c of the remaining candidates who stood nominated at the time when the poll was stopped.

31.(1) The polling officer shall close the polling station at the ho appointed for closing under rule 1 or sub-rule (4) of rule 30 as the case may be so as to prevent the admission thereto of any elector aft that hour and no ballot paper shall be issued thereafter.

(2) The polling officer of each polling station, as soon as practicable after the close of the poll, shall in the presence of an

candidate

that sub-rule, all the packets received by him under sub-rule(2) of this rule.

(b) The polling officer shall open the packets just before the commencement of the continuation poll in the presence of such persons as may be present at the polling station and commence such poll precisely at the hour fixed therefor in the order passed by the Commissioner under clause(a) of sub-rule (3).

(c) At the continuation poll, the polling officer shall allow only such electors to vote as did not vote on the previous occasion.

(6) Where an order is passed under clause (b) of sub-rule (3) for holding a fresh poll, the Commissioner shall proceed afresh under sub-rule (1) of rule 13 and fresh poll shall be held at the polling station concerned in accordance with the provisions of these rules in all respects as if it were being held at such polling station for the first time.

Explanation -There shall be no fresh nominations in cases under this sub-rule.

(7) Notwithstanding anything contained in this rule, if a candidate dies at any time before the orders are passed by the Commissioner under sub-rule (3) or at any time after the passing of such orders but before the commencement of the continuation poll or of the fresh poll, as the case may be, the Commissioner shall, upon being satisfied of the fact of the death of the candidate, stop all further proceedings in connection with the election, and start election proceedings afresh in all respects as if for a new election by the division concerned;

Provided that no fresh nomination shall be necessary in the case of the remaining candidates who stood nominated at the time when the poll was stopped

31.(1) The polling officer shall close the polling station at the hour appointed for closing under rule 1 or sub-rule (4) of rule 30 as the case may be so as to prevent the admission thereto of any elector after that hour and no ballot paper shall be issued thereafter.

(2) The polling officer of each polling station, as soon as practicable after the close of the poll, shall in the presence of any

candidate

candidate or polling agent who may be present make up into separate packets and seal with his own seal and seals of such candidates or agents as may decide to affix their seals.-

(i) each ballot box in use at such station unopened but with the key (which should also be sealed in the same manner as the ballot box), attached.

(ii) the tendered ballot paper

(iii) the unused ballot papers

(iv) the spoilt ballot papers,

(v) the marked copy of the elected roll,

(vi) the counterfoils of the ballot papers,

(vii) the tendered votes lists,

(viii) The list of challenged votes with the statement or statements mentioned in sub-rules (2) and (5) of rule 27, and

(ix) the covers referred to in clause (ii) of sub-rule (2) of rule 29 and shall forward such packets to the Commissioner.

3. Each packets shall be numbered and shall bear a note as to its contents, the name of the polling station and the number of the division. Where no vote has been recorded at any polling station, the polling officer shall submit a nil report together with the statment in form IX referred to in rule 32.

32. The packets shall be accompanied by a statement, in a separate cover, in Form IX made by the polling officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot boxes, unused, spoilt and tendered ballot papers.

33(1) The counting of votes shall commence on the day and at the ~~kimx~~ place and hour appointed in that behalf. Votes shall be counted by or underthe supervision of the Commissioner, and each candidate, the election agent of each candidate, and one representative of each candidate authorised in writing by the candidate shall have a right to be present at the time of counting. No other person shall be allowed to be presentexcept such persons as the Commissioner may appoint to assist him in counting votes and no person shall be appointed to assist in counting the votes, who has been employed by or on behalf of any candidate for any purpose whatsover connected with the election.

(2) The Commissioner shall, before he commence to count the votes, read the provisions of section 69 of the City of Bangalore Municipal Corporation Act, 1949, to such persons as may be present, and shall then proceed as follows -

(a) The ballot box or boxes relating to all polling stations the ~~diff~~ division bearing the same serial number and colour and all enevelopes of the same colour as those boxes, enclosed in the covers which may have been received under rule 29 shall be opened one after another The ballot papers shall be taken out therefrom, and counted and the total number of votes secured by the candidate concerned recorded in a statement. He shall then proceed similarly with the boxes and envelopes of each colour which may have been prescribed in the division.

(b) The commissioner shall allow the candidates and their agents reasonable opportunities to inspect, without handling, all ballot papers which in his opinion are liable to be rejected. We shall endorse on every ballot paper which is rejected the word 'rejected'. If any candidate or agent present questions the correctness of the rejections, he shall also record on the ballot papers the grounds for the rejection.

(c) The Commissioner shall, as far as practicable, proceed continuously with the counting of the votes, and shall, during any necessary intervals during which the counting has to be suspended place the ballot papers, packets and other documents relating to the election under his own seal and the seals of such candidates or agents as may desire to affix them and shall cause adequate precautions to be taken for their custody

34 (1) A ballot paper shall be rejected if it-

(a) bears any mark by which the elector can be identified, or

(b) does not bear the official stamp prescribed in rule 20, or

(c) bears the mark belonging to a division different from that of the ballot ~~paperxxxxxxxxxxxxxxxxx~~ box in which it is found,

Provided that a ballot paper dealt with under clause (ii) of sub-rule (2) of rule 29 shall not be rejected merely on the ground that it bears the mark of a division different from the one in which the elector is enttitled to vote:

Provided further that a ballot paper shall not be rejected und clause (b) if the Commissioner is satisfied beyond reasonable doubt that the ballot paper was one issued by the polling officer.

(2) If two ballot papers bearing the same serial number be found in a ballot box, they shall count only as one vote in favour of the candidate to whom that box is assigned

(3) Except on the ground mentioned in sub-rules (1) and (2), no ballot paper shall be rejected.

(4) The decision of the Commissioner as to the validity of a ballot paper shall be final, subject only to reversal on an election petition.

35.(1) After the Commissioner has completed the scrutiny and counting of votes, he shall prepare a statement of the results of the polling in Form X and shall, subject to the provisions of rule 39, declare that the cardidate or candidates to whom most valid votes have been given, has or have been duly elected

Provided that if a seat is reserved for a nu community or for women, the Commissioner shall first declare the candidate belonging to that community or who is a women, as the case may be, to whom th largest number of votes have been given to be elected to such reser seat.

(2) Any candidate or his agent shall, on application, be per mitted to take a copy or an extract from the statement in Form X.

36.(1) The Commissioner shall not open the sealed packets containin tendered ballot papers, the marked copy of the electoral roll or th counterfoils of the ballot papers. He shall verify the statement submitted by the polling officer under rule 32 by comparing it with number of accepted ballot papers and of rejected ballot papers and unused ballot papers in his possession.

(2) The Commissioner shall then make up into separate bundle in respect of each candidate

(i) such of the ballot papers as have been accepted as va...

and (ii) the remaining ballot papers which have been rejected as valid.

He shall then make up both the bundles into one packet and

the packet

the packet with his own seal. He shall also enclose and reseal each of the other packets which were opened by him and record on each such packet a description of its ~~xxxxxx~~ contents.

DISPOSAL OF BALLOT PAPERS

37.(1) The commissioner shall, after declaring the results, retain in his custody, the packets of ballot papers, whether counted, rejected or tendered, and of the counterfoils thereof. These packets shall not be opened and their contents shall not be inspected or produced except under the orders of an election or other competent court.

(2) The Commissioner shall retain the packets and the marked copies of the electoral roll for a year and shall then, unless otherwise directed by the orders of an election or other competent court, cause ~~xx~~ them to be destroyed.

38 The name or names of the candidate or candidates duly elected shall be forwarded without delay by the Commissioner to the Superintendent. Government Press. for publication in the official Gazette and also be published on the notice board of the Municipal office.

39.(1) If any question arises as to the interpretation of these rules otherwise than in connection with an inquiry held under the rules for the decision of disputes as to the validity of an election the question shall be referred to the Government whose decision shall be final

(2) Pending the decision of the Government on any such reference made to them or the issue of final orders on any inquiry which the Government may institute upon receipt of information that an election is being or about to be held in contravention of the rules, it shall be lawful for the Government to direct the stay of the election proceeding at any stage thereof prior to the declaration of the results. Any election held or continued in contravention of the orders of the Government under this rule shall be void and of no effect whatsover.

(3) Unless it is otherwise ordered by the Government: election proceedings stayed under this rule shall, on cancellation of the stay order, proceed from the stage at which they were stayed on fresh dates to be fixed.

(4) If any difficulty arises as to the holding of any election under these rules, the Government may, by order, do anything not in-

inconsistent

inconsistent with these rules which appears to them necessary for the proper holding of the election. Every order passed under this sub-rule shall be laid before each of the chambers of the provincial Legislature at its next meeting.

ELECTIONS FOR LABOUR SEATS

40. Rules 1 to 39 shall apply mutatis and mutandis to the conduct of elections to fill the seats specially reserved for labour as if the words 'Labour electorate (were substituted for the word 'division' wherever it occurs in the said rules,

Provided that the amount of the deposit to be made by candidate not belonging to scheduled castes, shall be fifty rupees only

RULES APPLICABLE TO ELECTIONS TO BOTH THE DIVISIONAL AND LABOUR SEATS

41 Notwithstanding anything contained in the foregoing rules, the Government may, for special reasons, empower the Commissioner to fix dates and periods other than those specified or fixed by or under these rules, for all or any of the stages of the election proceedings connected therewith.

42. In these rules unless there is anything repugnant to the subject or context

(a) "the Act" means the City of Bangalore Municipal Corporation Act, 1949.

(b) "Commissioner" means the Commissioner of the Corporation of Bangalore

(c) "Government" means the Government of Mysore

By Order,

GENERAL SECRETARY TO GOVERNMENT

To

The Compiler, Mysore Gazette, for publication in the next issue of the Gazette and supply one hundred and fifty copies thereof each to the Commissioner, Corporation of the City of Bangalore, and the Municipal Branch of the Secretariat.

knr)

FORM.1.
(see rule 2 (1))

CORPORATION OF BANGALORE.

Nomination paper.

1. Name and number of the Division / Labour electorate

2. Full name of candidate.

3. Number of candidate in the electoral roll.

4. Father's, or husband's name

5 Age

6 Sex

7 Community

8. Occupation and address

9 Full name of proposer

10 Number of proposer in the electoral roll

11. Signature of the proposer.

12. Full name of the seconder

13. Number of the seconder in the electoral roll

14. Signature of the seconder.

Candidates declaration.

I declare that I am willing to stand for election.

Signature of the candidate.

Endorsement by the Commissioner or other authorised person.

Serial number.

This nomination paper was presented to me by (person) at (date and hour)

Signature of the Commissioner or other authorised person.

INSTRUCTION.

Nomination papers which are not presented to the Commissioner or other authorized person before (hour) on the day-- day of 1950, shall not be received.

FORM II.
(see rule 5.)

CORPORATION OF BANGALORE

List of nomination received on (date) for

Division

Labour electorate.

1. Serial Number
2. Name of candidate
3. Fathers or Husband's name.
4. Community
5. Occupation and address.

NOTE.- The nomination papers will be taken up for scrutiny at A.M. / P.M.

on the day of (place)

Commissioner or other authorized person

*instruction.- Letter and brackets (S) shall be added after the name if the candidate is a women.

FORM III.
(See rule 10 (2))

List of valid nominations.

Corporation of Bangalore Division

Labour electorate

Sl No.	Names of Candidates	Sex of candidates	Communities to which the candidate belong.	Address of the candidate	Distinctive colour assigned to candidates.
1	2	3	4	5	6

NOTE - The poll will be taken and at the polling stations between already notified.

COMMISSIONER.

FORM IV.A.
(See Rule 20.)

Corporation of Bangalore ---------- Division
Labour Electorate.

Serial
Number.

FORM VIV.
(See Rule 20)

Corporation of Bangalore---------- Division
Labour Electorate.

Serial
Number.

FORM V.
(See rule 26)
Tendred Votes List.

Corporation Bangalore.

Division

Labour Electorate

Name and number.	Division ---------- Labour Electorate.	Name of elector.	Number in electoral roll	Signature of elector or impression of elector if illiterate and address.
1	2		4	5

FORM VI
(See Rule 27.)

CORPORATION OF BANGALORE.

Declaration of personation.

I (name) hereby declare and undertake to prove that the person described below has, by applying for a ballot paper at this polling station, committed the offence of personatio

Description of the person.

Name	Address	Signature or thumb impression.

Signature of candidate or agent.

Witnesses.-

1. (name and address)

2 (Name and address)

(Before me)
Signature of the polling officer

Division.

Labour Elector to
Corporation of Bangalore

FORM VII.
(See rule 27.)

List of Challenged Votes

Corporation of Bangalore

Division.

Labour Electorate

Name of polling station.

Signature sheet No.

Number of elector on the elector roll	Name of elector	Signature of elector if literate or thumb impression of elector if illiterate.	Signature and address of identifier if any

Orders of the polling officer (in each case)

Signature of the Polling Officer.

FORM.VIII
(See rule 29)

CORPORATION OF BANGALORE.

Form of certificate entitling a person to vote outside pe

area'-

Certified that entitled to vote at for

Division

Labour electorate has been employed in connection with the

tion for Division

Labour electorate and is prevented from voting a

said station and that I have therefore authorised him to vote at

Station Sig/nature of the Commissioner.

Date.

FORM X.
(See rule 35)

Return showing results of the election for seats reserved for
Division

Labour electorate of the Corporation of Bangalore.

Number	Name of candidate	Number of valid vot

Total number of valid votes,

Total number of invalid votes

I do hereby declare that the following candidate / candidates has / have been duly elected for division to the seat reserved for

to the seat reserved for*

to the general seat*

Commissioner

*Not to be filled in the case of election to seats reserved
Labour.

Secretary to Government.

FORM IX.
(See rule 32.)

Statement of polling Officer at in the

Division

Labour electorate

Corporation of Bangalore after the polling on

Description.	Number received	Number of ballot paper in boxes	Number of ballot paper in packets Rule 29 (2) (ii)	Division. / Labour electorate / Number of tendered ballot papers rule 26.	Number unused.	Number spoilt	Ballot papers dealt with under Rule 29(2) (i) ~~including~~ included under column (3)	Remarks.
	2	3	4	5	6	7	8	9

Ballot papers.